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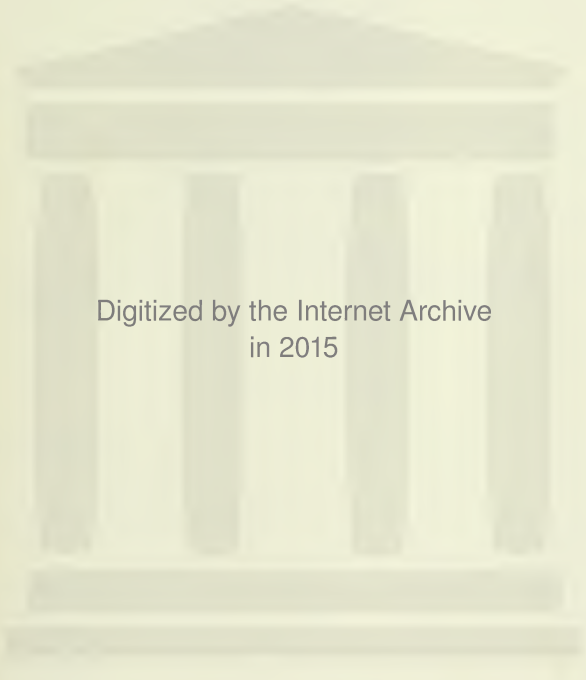

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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

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Tuesday, January 8, 2013 - 12:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Inaugural Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
City and School District Select Committee Supervisors Campos, Chiu, Fewer, Maufas, Commissioners Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Wiener, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:30 PM
Public Safety Committee Supervisors Avalos, Mar	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Kim, Farrell, Avalos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Carmen Chu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 12:04 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board Members that she had received a communication from the Director of Elections, certifying the candidates for the Office of Members of the Board of Supervisors who received a plurality of votes cast at the election held on November 6, 2012, who, therefore, have been declared elected to that office, namely:

David Campos
Eric Mar
John Avalos
David Chiu
Norman Yee
London Breed

Additionally, Ms. Calvillo informed the Board Members that she had received a communication from the Controller, confirming that certificiation of surety bond requirements were established for all newly elected and continuing Supervisors pursuant to San Francisco Administrative Code Article IX, Section 16.122(a)(e).

OATH OF OFFICE

President David Chiu introduced Cynthia Ming-mei Lee, Presiding Judge, Superior Court of California, County of San Francisco, who requested the Board Members to stand, whereupon Judge Lee administered the oath of office. An oath of office had been previously executed and copies duly delivered to the Clerk of the Board in the case of Supervisor London Breed effected by the following official, Attorney General Kamala Harris, pursuant to Government Code, Section 1225, in order to provide Supervisor Breed the oath of office on January 8, 2013.

NOMINATIONS FOR PRESIDENT OF THE BOARD

Supervisor Yee, seconded by Supervisor Wiener, nominated Supervisor Chiu.
Supervisor Kim, seconded by Supervisor Campos, nominated Supervisor Cohen.
Supervisor Cohen, seconded by Supervisor Avalos, nominated Supervisor Kim.

The President asked if there were any further nominations. There being no response, the nominations for President of the Board of Supervisors were then closed.

GENERAL PUBLIC COMMENT

Abdallah Megahed; expressed various concerns and indicated support of the individual nominees for Board President.
Asha Bodell; spoke indicating support of the individual nominees for Board President.
Francisco Da Costa; expressed various concerns and indicated support of the individual nominees for Board President.
Tina Moylan; spoke indicating support of the individual nominees for Board President.
Maggie Scott; spoke indicating support of the individual nominees for Board President.
Female Speaker; spoke indicating support of the individual nominees for Board President.
Michael Naltee; spoke indicating support of the individual nominees for Board President.
Ernestine Weiss; expressed concerns relating to 8 Washington Project and indicated support of the individual nominees for Board President.
Female Speaker; spoke indicating support of the individual nominees for Board President.
James Chaffee; expressed concerns relating to the SF Public Library and indicated support of the individual nominees for Board President.
Female Speaker; expressed concerns relating to viable renewable resources and various religious concerns.
Male Speaker; spoke indicating support of the individual nominees for Board President.
Ross Rhodes; expressed concerns relating to foreclosures and indicated support of the individual nominees for Board President.
Jasmine Sullivan; expressed various concerns and indicated support of the individual nominees for Board President.
Clinton Faye; spoke indicating support of the individual nominees for Board President.
Cathy Linze; spoke indicating support of the individual nominees for Board President.
Larry J. Edmond; expressed various concerns and indicated support of the individual nominees for Board President.
William Walker; spoke indicating support of the individual nominees for Board President.
Female Speaker; spoke indicating support of the individual nominees for Board President.
Male Speaker; expressed concerns relating to public nudity and career politicians.
Anthony Balstow; expressed concerns relating to MTA and indicated support of the individual nominees for Board President.
Anaconda; spoke indicating support of the individual nominees for Board President.
Julie Fisher; spoke indicating support of the individual nominees for Board President.
Peter Warfield; expressed concerns relating to the SF Public Library, public comment, and indicated support of the individual nominees for Board President.
Joline Fernes-Jackson; spoke indicating support of the individual nominees for Board President.
Male Speaker; spoke indicating support of the individual nominees for Board President.
Ace Washington; expressed various concerns and indicated support of the individual nominees for Board President.
Joseph Garcia; expressed concerns relating to people of color and indicated support of the individual nominees for Board President.

ELECTION OF THE PRESIDENT OF THE BOARD

Supervisor Kim did not accept her nomination for President of the Board of Supervisors.
Supervisor Cohen did not accept her nomination for President of the Board of Supervisors.

The roll was called on the nomination of Supervisor Chiu.

Round 1 - Motion to elect President of the Board of Supervisors PASSED by the following vote:
Supervisor Chiu: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

PRESIDENT ASSUMES THE CHAIR
President Chiu remained in the President's Chair.

REMARKS FROM THE MAYOR

President David Chiu introduced the Honorable Mayor Edwin M. Lee who congratulated the newly elected and re-elected members of the Board of Supervisors.

REMARKS BY THE MEMBERS OF THE BOARD

Each member of the Board of Supervisors was called and afforded an opportunity for brief remarks and for introduction of family members or guests in attendance.

REMARKS BY THE PRESIDENT OF THE BOARD

President acknowledged the presence of the following elected officials, representatives of elected officials, and various City Department heads:

Mayor Edwin M. Lee
Former Board of Supervisors Anne Marie Conroy, Carole Ruth Silver, Mabel Teng, and Chris Daly
City Attorney Dennis Herrera
Treasurer Jose Cisneros
Public Defender Jeff Adachi
Sheriff Ross Mirkarimi
Office of the Mayor's Chief of Staff Steve Kawa
Police Chief Greg Suhr
Fire Chief Joanne Hayes-White
Controller Ben Rosenfield
City Administrator Naomi Kelly
Municipal Transportation Agency Director Ed Reiskin
Recreation and Park General Manager Phil Ginsburg
Port Director Monique Moyer
Department of Building Inspection Acting Director Tom Hui
Chief Probation Officer William Siffermann
Office of Civic Engagement and Immigrant Affairs Executive Director Adrienne Pon
Budget and Legislative Analyst Harvey Rose
Board of Education Member Hydra Mendoza
Former Director of the Redevelopment Agency Leroy King

President Chiu gave his commitment to working with the members of the Board of Supervisors, City Agency Departments, and the public in addressing issues which impact the citizens of San Francisco.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

120900 [Planning Code - Car Share Parking Spaces]
Sponsors: Wiener; Chiu, Cohen, Chu and Campos
Ordinance amending the Planning Code, Section 166, to authorize owners of projects with residential units to elect to provide additional parking spaces for car-share use which will not count against any parking maximums; allow the car-share spaces to be used for other permitted uses other than parking a motorized vehicle if a car-share organization chooses not to use the space; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

09/11/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

09/18/12; REFERRED TO DEPARTMENT.

09/20/12; RESPONSE RECEIVED.

12/11/12; RESPONSE RECEIVED.

01/08/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

130015 [Appropriating $507,880,000 of Certificate of Participation Proceeds - Moscone Center Expansion Project - FY2012-2013]
Sponsors: Mayor; Kim
Ordinance appropriating $507,880,000 of Certificate of Participation (COPs) proceeds to fund the Moscone Center Expansion Project in the General Services Agency, Office of the City Administrator, for FY2012-2013 and placing these funds on Controller's reserve pending issuance of the COPs or associated commercial paper used for cash flow purposes in FY2012-2013. (Economic Impact)

01/08/13; ASSIGNED to Budget and Finance Committee.

130016 [Authorizing Certificates of Participation and Assessment Notes - Moscone Expansion Project - Not to Exceed $507,880,000]

Sponsors: Mayor; Kim

Ordinance authorizing the execution and delivery of Certificates of Participation evidencing and representing an aggregate principal amount of not to exceed $507,880,000 to finance the costs of additions and improvements to the George R. Moscone Convention Center; approving the form of Trust Agreement between the City and County of San Francisco and the Trustee (including certain indemnities contained therein); authorizing the selection of the Trustee by the Director of Public Finance; approving respective forms of a Property Lease and a Project Lease, each between the City and the Trustee for the lease and lease back of all or a portion of the Moscone Center, including the Moscone Expansion Project, to be constructed thereon; authorizing the execution and delivery of Assessment Notes payable from Moscone Expansion District assessments to further secure principal, premium, if any, and interest evidenced and represented by the Certificates; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of the Certificates and the Assessment Notes; approving modifications to documents and agreements; and ratifying previous actions taken in connection therewith.

01/08/13; ASSIGNED to Budget and Finance Committee.

130017 [Appropriating $8,969,695 for the Department of Juvenile Probation, the Department of Public Health, the Human Services Agency, the Art Commission, and the Children and Families Commission - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $7,169,695 of State revenue loss reserve and $1,800,000 of prior year designated reserves of the Children and Families Commission to fund the de-appropriation of State revenue of $534,406 at the Department of Public Health, and $580,300 at the Human Services Agency, and appropriating uses of $50,000 to the Department of Juvenile Probation, $2,424,528 to the Department of Public Health, $3,180,461 to the Human Services Agency, $400,000 to the Art Commission, and $1,800,000 to the Children and Families Commission in FY2012-2013. (Fiscal Impact)

01/08/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/7/2013. 1/16/13 - The President waived the 30 day rule.

130018 [Planning Code - Deleting the Sunset Provision of the Excelsior Alcohol Restricted Use District]

Sponsor: Avalos

Ordinance amending the Planning Code, Section 785, to delete the sunset provision of the Excelsior Alcohol Restricted Use District; and making findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

01/08/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/7/2013.

130019 [Planning Code, Zoning Map - Central Subway Tunnel Boring Machine Extraction Site Special Use District]
Sponsor: Chiu
Ordinance amending the Planning Code, by adding Section 249.70, to create the Pagoda Palace Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street; to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and to allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps ZN 01, HT 01, and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; and adopting findings, including environmental findings, and findings of consistency with the General Plan.

01/08/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/7/2013.

Resolutions

130020 [Contract Modification - Children's Council of San Francisco Management of Preschool Subsidies - Not to Exceed $40,730,000]
Sponsor: Mayor
Resolution approving the contract modification with the Children's Council of San Francisco to manage preschool subsidies to eligible children of the City for an amount not to exceed $40,730,000, for the period of July 1, 2012, to June 30, 2015, .
(Fiscal Impact)

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130021 [Approval of 90 Day Extension - Planning Commission Review of Establishing the Fillmore Street Neighborhood Commercial District (File No. 120814)]
Sponsor: Breed
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120814) amending the San Francisco Planning Code, by adding Section 744.1, to establish the Fillmore Street Neighborhood Commercial District along Fillmore Street between Bush and Fulton Streets; amending Section 151.1, a portion of Table 151.1, Section 263.20, and Section 607.1(f) to make conforming and other technical changes; amending Sheets ZN02 and ZN07 of the San Francisco Zoning Maps to rezone specified properties to the Fillmore Street Neighborhood Commercial District; and adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

01/08/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130022 [Apply for, Accept, and Expend - Local Priority Development Area Planning and Implementation Efforts - $2,380,000]
Sponsor: Wiener
Resolution authorizing the Planning Department to apply for, accept, and expend funds in the amount of $2,380,000 from the Metropolitan Transportation Commission for local Priority Development Area Planning and Implementation efforts spanning FYs 2012-2013 through 2015-2016.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130023 [Apply for, Accept, and Expend Grant - Urban Forestry Programs - Not to Exceed $99,000]
Sponsor: Wiener
Resolution authorizing the Planning Department to apply for, accept, and expend funding from the State of California Urban Forestry Grant Program entitled "Leading Edge," as provided through Proposition 40 and/or Proposition 84, in an amount not to exceed $99,000.

01/08/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130024 [Accept and Expend Grant - Hepatitis B Early Identification and Linkage to Care for Foreign-Born Persons with Hepatitis B - $300,000]
Sponsors: Wiener; Campos
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $300,000 from Centers for Disease Control and Prevention to participate in a program entitled "Hepatitis B Early Identification and Linkage to Care for Foreign-Born Persons with Hepatitis B in San Francisco" for the period of September 30, 2012, through September 29, 2013.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130025 [Accept and Expend Grant - Active, Enhanced Surveillance for Viral Hepatitis - $519,945]
Sponsors: Wiener; Campos
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $519,945 from Centers for Disease Control and Prevention to participate in a program entitled "Active, Enhanced Surveillance for Viral Hepatitis in San Francisco, California" for the period of November 1, 2012, through October 31, 2013.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests for Hearing

130026 [Hearing - Review Juvenile Probation Department's Field Safety Policies]
Sponsor: Avalos
Hearing to review the Juvenile Probation Department's field safety policies, the possibility of arming Juvenile Probation Department's Officers with firearms, and how Juvenile Probation Department's officers participate in operations with the San Francisco Police Department.

01/08/13; RECEIVED AND ASSIGNED to Public Safety Committee.

130027 [Hearing - Technology Jobs Training, Skill Development, and Job Placement of Disadvantaged Workers]
Sponsors: Kim; Breed
Hearing regarding the training, skill development, and job placement of disadvantaged workers in the City's growing technology sector, including presentations from the various City agencies including the Office of Economic and Workforce Development on City initiatives, such as TechSF, that aim to build the skills and training needed to prepare workers to participate in the technology sector, including a summary of the number and demographics of participants in technology specific job training programs and an analysis of job placement.

01/08/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

121190 [Settlement of Lawsuit - Bryan Vestal - $420,000]

Ordinance authorizing settlement of the lawsuit filed by Bryan Vestal against the City and County of San Francisco for $420,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507921; entitled Bryan Vestal v. City and County of San Francisco, et al.; another material term of said settlement is the waiver of the San Francisco General Hospital medical lien in the amount of $110,098.30. (City Attorney)

12/27/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Rules Committee.

121211 [Administrative Code - Rescinding Sunset in the San Francisco Bonding and Financial Assistance Program]

Ordinance amending the San Francisco Administrative Code, Section 14B.16, to rescind the sunset clause in the San Francisco Bonding and Financial Assistance Program, make technical amendments, and make environmental findings and findings of consistency with General Plan. (City Administrator)
(Fiscal Impact)

12/11/12; RECEIVED FROM DEPARTMENT.

12/27/12; REFERRED TO DEPARTMENT.

12/27/12; RESPONSE RECEIVED.

01/08/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/7/2013.

121226 [Settlement of Lawsuit - Sandra Ramos - $60,000]

Ordinance authorizing settlement of the lawsuit filed by Sandra Ramos against the City and County of San Francisco for $60,000; the lawsuit was filed on October 12, 2011, in the United States District Court for the Northern District of California, Case No. C-11-5033 WHA, entitled Sandra Ramos v. City and County of San Francisco; other material terms of said settlement are reimbursement to Plaintiff of up to $2,500 for services of an organizational consultant. (City Attorney)

12/27/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Rules Committee.

121227 [Settlement of Lawsuit - Health Net - City to Receive $800,000 and Future Payments]

Ordinance authorizing settlement of the lawsuit filed by the San Francisco City Attorney's Office, acting on behalf of the People of the State of California, against (among other Defendants) Health Net of California, Inc., for the payment by Health Net of $800,000 for under reimbursing San Francisco General Hospital for emergency medical care provided to Health Net's insureds prior to January 1, 2012, and for the payment of an additional amount, to be determined, for such claims rising between January 1, 2012, and June 30, 2014; the lawsuit was filed on May 24, 2011, in the San Francisco Superior Court, Case No. 11-511181; entitled People of the State of California v. Health Net, et al.; other material terms of said settlement are that Health Net and San Francisco will enter into a prompt payment agreement under which Health Net agrees to pay San Francisco General Hospital certain specified rates for treatment provided to its insureds for emergency medical services rendered from January 1, 2012, through at least June 30, 2014. (City Attorney)

12/27/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Rules Committee.

121228 [Settlement of Lawsuit - Brendan Cadam - $42,500]

Ordinance authorizing settlement of the lawsuit filed by Brendan Cadam against the City and County of San Francisco for $42,500; the lawsuit was filed on July 3, 2012, in San Francisco Superior Court, Case No. CGC-12-522047; entitled Brendan Cadam, et al. v. City and County of San Francisco, et al. (City Attorney)

12/27/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Rules Committee.

121229 [Settlement of Lawsuit - Maya Vlanin - $95,000]

Ordinance authorizing settlement of the lawsuit filed by Maya Vlanin against the City and County of San Francisco for $95,000; the lawsuit was filed on June 29, 2010, in San Francisco Superior Court, Case No. CGC-10-501138; entitled Maya Vlanin v. City and County of San Francisco, et al. (City Attorney)

12/27/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

121161 [Settlement of Claim - Crystal Cheung - $110,000]

Resolution approving the proposed settlement of claim by Crystal Cheung against the City and County of San Francisco for $110,000; the claim was filed on January 24, 2012, bearing Claim No. 12-01653. (City Attorney)

12/27/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Rules Committee.

121191 [Airport Concession Lease - Avila Retail Development and Management, LLC - $162,000 Minimum Annual Guarantee]

Resolution approving the Boarding Area "F" Specialty Store Lease between Avila Retail Development and Management, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a seven year term with a minimum annual guarantee of $162,000. (Airport Commission)

12/06/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121192 [Airport Concession Lease - Host International, Inc. - $733,176 Minimum Annual Guarantee]

Resolution approving the International Terminal and Terminal 3 Newsstands/Café Lease between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a ten year term with a minimum annual guarantee of $733,176. (Airport Commission)

12/06/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121193 [Contract Amendment - Renewable Energy and Climate Change Professional Services - $31,400,000]

Resolution approving the Fourth Amendment to the contract with ICF Resources, LLC, for Renewable Energy and Climate Change Professional Services, to increase the amount of the contract by $12,400,000 for a total of $31,400,000 and to extend the term of the contract from July 1, 2014, to December 31, 2016. (Environment)

12/11/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121210 [Agreement - Fong and Chan Architects, Inc. - San Francisco General Hospital Rebuild Program]

Resolution ratifying Modification No. 7 to the Architectural and Engineering Design Services Agreement with Fong & Chan Architects, Inc., for the San Francisco General Hospital Rebuild Program from $51,507,500 to $52,521,000 and authorizing the Director of Public Works to execute Modification No. 10 from $52,710,860 to $53,376,607 pursuant to Charter Section 9.118(b). (Public Works Department)
(Fiscal Impact)

12/03/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121212 [Agreement Amendment - Tides Center to Provide Supportive Housing Property Management Services - $40,508,317]

Resolution approving a Second Amendment to the agreement between the Department of Public Health and the Tides Center to provide supportive housing property management services at Direct Access to Housing sites under the Delivering Innovation in Supportive Housing Program, to extend the term by five years and increase the contract by $25,568,499 for a total of $42,940,312, for the period of July 1, 2008, to June 30, 2018. (Public Health Department)

12/17/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121225 [Contract Amendment - Xtech - $90,580,000]

Resolution retroactively authorizing the Office of Contract Administration to enter into the Seventh Amendment between the City and Xtech (part of the Technology Store procurement vehicle) in which the amendment shall increase the contract amount from $60,490,000 to $90,580,000 with a term of three years through December 31, 2011, with possible extensions through December 31, 2013. (Office of Contract Administration)

12/21/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 2:28 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 12, 2013.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, January 15, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 1:00 PM
City and School District Select Committee Supervisors Campos, Chiu, Fewer, Maufas, Commissioners Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Wiener, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:30 PM
Public Safety Committee Supervisors Avalos, Mar	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Kim, Farrell, Avalos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Carmen Chu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, Supervisor Mar was noted absent. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Cohen, moved to approve the Board Meeting Minutes of November 20, 2012, December 4, 2012, and December 11, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Wiener, Yee
Absent: 1 - Mar

Supervisor Mar was noted present at 2:08 p.m.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

130031 [Formal Policy Discussions - January 15, 2013]
Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 4 and 6. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Rising healthcare costs combined with accumulated healthcare liabilities remains a significant fiscal issue for the City. What plans do you have to address this issue? (Supervisor Chu, District 4)

2. As you know, the community in the South of Market and Mid-Market neighborhoods have been eagerly awaiting the opening of the Sixth Street substation, and we want to appreciate the work that Department of Public Works has done to push forward construction. There are remaining concerns about transitioning the substation online, including:

1) Is there a firm date for the opening of the Sixth Street substation?
2) What will the operating hours be?
3) What will be the staffing for the substation and how can constituents expect to access the substation?
4) What will the process be for the San Francisco Police Department to take possession of the Sixth Street substation? (Supervisor Kim, District 6)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

DISCUSSED AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

121007 [Electric System and Solar Project Agreement - North Star Solar, LLC]
Ordinance authorizing, pursuant to Charter Section 9.118(a), a System Impact Mitigation Agreement with North Star Solar, LLC, requiring North Star Solar, LLC, to pay the Public Utilities Commission the costs necessary to mitigate the impacts to the City's electric system caused by the interconnection of North Star Solar, LLC's solar project to the electric grid; authorizing similar mitigation agreements with other projects in the future; appropriating funds from these agreements to pay the costs of mitigation work; and placing various mitigation funds on reserve with the Board of Supervisors. (City Attorney's Office)
(Fiscal Impact)

Ordinance No. 004-13

FINALLY PASSED

121064 [Business and Tax Regulations, Police Codes - Parking Stations - Revenue Control Equipment; License Regulations; Parking Tax Bonds; Administrative Citation Process]

Sponsor: Campos

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Article 6 (Common Administrative Provisions) to revise the bonding requirements for parking operators; revise the time to bring an action to collect tax; clarify the extent of a surety's liability; revise the administrative citation appeal process; and make other minor technical changes; amending Article 22 (Parking Stations; Revenue Control Equipment) to clarify that non-City governmental entities operating parking stations are exempt from the revenue control equipment requirements; and amending the San Francisco Police Code Article 17 (Miscellaneous License Regulations) to clarify that governmental entities operating parking garages or parking lots are exempt from the permitting requirements applicable to other commercial parking garage and valet operations.

Ordinance No. 005-13

FINALLY PASSED

121139 [Lease and Use Agreement - China Airlines, Limited]

Resolution approving and authorizing the execution of Modification No. 1 of Lease and Use Agreement L10-0082 with China Airlines, Limited, effective January 1, 2013, for administrative office space in the International Terminal at the San Francisco International Airport. (Airport Commission)

Resolution No. 004-13

ADOPTED

121167 [Accept and Expend Grant - Code for America Labs, Inc. - $105,000]

Sponsor: Mayor

Resolution authorizing the San Francisco Department of Human Services to retroactively accept and expend a grant in the amount of $105,000 from Code for America Labs, Inc., toward the cost of participating in the 2013 Code for America (CfA) Fellowship Program, which has specially selected the Department of Human Services to receive technology design services from CfA to increase access to public benefits by the City's lowest income residents.
(Fiscal Impact)

Resolution No. 005-13

ADOPTED

Recommendations of the Land Use and Economic Development Committee

120434 **[Police Code - Amendments to Junk Dealer and Junk Gatherer Permit Process]**
Sponsor: Cohen
Ordinance amending the San Francisco Police Code, Sections 974.1, 974.2, 974.4, 974.8, 974.9, 974.10-1, 974.11, 974.14-1, 974.14-2, 974.21, 974.22, 895, 2.26, 2.27, and repealing Sections 974.5, 974.6, 974.10-2, 974.23 and 896 through 898 to cause all existing junk dealer and junk gatherer permits to expire as of June 30, 2013, establish an annual permit for junk dealers with junk yards and a two-year permit for other junk dealers, provide for permit suspensions and revocations to remain in effect during any administrative appeal, amend the permit enforcement process, and update fees; and making environmental findings.

Ordinance No. 002-13

FINALLY PASSED

120880 **[Planning Code - Valencia Street Neighborhood Commercial Transit District]**
Sponsor: Campos
Ordinance amending the San Francisco Code, Section 726.52, of the Zoning Control Table, for the Valencia Street Neighborhood Commercial Transit District to permit a personal service use on the third story and above with a Conditional Use Authorization, and make environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 003-13

FINALLY PASSED

121003 **[Street Artist Spaces - Hallidie Plaza - East of 5th Street]**
Resolution approving re-designation of 47 selling spaces at Hallidie Plaza, east of 5th Street, for street artists certified by the Arts Commission; exempting said spaces for one year from the regulations of Police Code Section 2405(c)(3), (4), and (11), relating to size of space and distance between street artists. (Arts Commission)

Resolution No. 002-13

ADOPTED

Recommendations of the Rules Committee

121155 **[Appointment, Pedestrian Safety Advisory Committee - Howard Bloomberg]**
Motion appointing Howard Bloomberg, term ending March 28, 2014, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)

Motion No. M13-001

APPROVED

121157 [Appointments, SoMa Community Stablization Fund Community Advisory Committee - Kristian Joy Ongoco, Allan Manalo, Joel Merchan, Conny Ford, Bernadette Borja Sy, and Thomas Temprano]

Motion appointing Kristian Joy Ongoco and Allan Manalo, terms ending April 27, 2013, and Joel Merchan, Conny Ford, Bernadette Borja Sy, and Thomas Temprano, terms ending April 27, 2014, to the SoMa Community Stablization Fund Community Advisory Committee. (Clerk of the Board)

Motion No. M13-002

APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Chu, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Severed from the Consent Agenda

Supervisor Mar requested that File No. 121042 be severed so that it may be considered separately.

Recommendation of the Public Safety Committee

121042 [Urging the Development of a Workplace Employee Policy on Domestic Violence]
Sponsors: Mar; Cohen, Chiu and Avalos

Resolution urging the Department on the Status of Women to develop and share materials on domestic violence to be shared with City employees and City contractors and grantees.

ADOPTED

The foregoing item was acted upon by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Chu, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Mar, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Resolution No. 003-13

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

120997 **[Appropriating $1,412,000 for San Francisco Unified School District - FY2012-2013]**
Sponsors: Kim; Campos, Mar and Avalos
Ordinance appropriating $843,000 of State Reserves and $1,412,000 from School District Set-Aside funds for the San Francisco Unified School District for FY2012-2013. (Fiscal Impact)

Supervisor Wiener moved to divide the question relating to separating out appropriation of State revenue funds of $843,000. The question PASSED as divided by the following vote:
Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Yee
Noes: 4 - Breed, Chu, Farrell, Wiener

Ordinance No. 001-13

FINALLY PASSED AS DIVIDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

120704 **[Disapproving Street Encroachment - 10 Niantic Avenue]**
Resolution upholding Department of Public Works' recommendation for disapproval and disapproving the application for a revocable encroachment permit to Lee Yun Ling & Cindy Zhou, for the occupancy of a portion of the public right-of-way for a new single family dwelling encroaching 3-feet into the public right-of-way at 10 Niantic Avenue (Assessor's Block No. 7178, Lot No. 001), under Article 15, Section 786.7 of the Public Works Code. (Public Works Department)

Resolution No. 001-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

121163 [Accept and Expend Grant - TechSF-Workforce Innovation Partnership and Amendment to the Annual Salary Ordinance - $3,000,000]

Sponsor: Mayor

Ordinance authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $3,000,000 from the Department of Labor for the TechSF-Workforce Innovation Partnership, and amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect addition of one (1) Class 9775 Senior Community Development Specialist II grant-funded position (0.77 FTE) in the Office of Economic and Workforce Development and one (1) Class 1053 IS Business Analyst - Senior grant-funded position (0.77 FTE) in the Department of Technology.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121164 [Accept and Expend Grant - Office of Financial Empowerment Kindergarten to College Outreach Position and Amendment to the Annual Salary Ordinance - Up to $80,000]

Sponsor: Mayor

Ordinance authorizing the Office of the Treasurer-Tax Collector to accept and expend a grant in the amount of up to $80,000 from the Earned Assets Resource Network for implementing the Office of Financial Empowerment Kindergarten to College program, and amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to provide for the creation of one (1) grant-funded position in the Office of Financial Empowerment.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121196 [Accept and Expend Grant - Energy Efficiency Program and Amendment to the Annual Salary Ordinance - $13,100,000]

Sponsor: Mayor

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of $13,100,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to implement an Energy Use and Demand Reduction through Energy Efficiency Program and amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect the addition of five grant funded positions (5 FTE) at the Department of the Environment, for a term from January 1, 2013, through December 31, 2014.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121169 [Contract Amendment - Aon Insurance Services West, Inc. - Central Subway Project - Not to Exceed $8,280,000]
Sponsor: Chiu
Resolution approving Amendment No. 2 to Contract No. CS-163-1, Insurance Brokerage Services for an Owner Controlled Insurance Program, to provide Excess Liability Insurance for the Central Subway Project with Aon Risk Insurance Services West, Inc., to obtain and bind a second tier of liability insurance for the amount not to exceed $8,280,000.
(Fiscal Impact)

Resolution No. 006-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121170 [Real Property Lease Amendment - Autodesk, Inc. - Pier 9]
Sponsors: Chiu; Kim
Resolution approving Port Commission's Second Amendment to Lease No. L-15169 with Autodesk, Inc., a Delaware corporation for the lease of office space and unimproved shed space at Pier 9 in the Northern Waterfront with a 120 month term.

Resolution No. 007-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

120772 [Health, Transportation Codes - Prohibiting Smoking at Certain Outdoor Events]
Sponsors: Mar; Cohen
Ordinance amending the Health Code, by adding Article 19L, to prohibit smoking at outdoor events on property owned by the City and County of San Francisco where approval is required under Transportation Code, Article 6; the Transportation Code, by amending Sections 6.2 and 6.7, establishing obligations for producers of outdoor events that require approval for temporary use or occupancy of a public street to notify the public that the event is smoke-free; and making environmental findings.

Supervisor Mar, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Farrell requested to be added as a co-sponsor.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

120789 [Planning Code - Landmark Designation of 4004-4006 Third Street - Sam Jordan's Bar]
Sponsor: Cohen
Ordinance designating 4004-4006 Third Street (Sam Jordan's Bar), Assessor's Block No. 5253, Lot No. 030, as a landmark under Planning Code, Article 10; and adopting General Plan, Planning Code, Section 101.1, and environmental findings. (Planning Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121061 [Planning Code - Landmark Designation of 401 Castro Street (Twin Peaks Tavern)]
Sponsors: Wiener; Campos

Ordinance designating 401 Castro Street (Twin Peaks Tavern), Assessor's Block No. 3582, Lot No. 71, as a landmark under Planning Code, Article 10; and adopting General Plan, Planning Code, Section 101.1, and environmental findings. (Planning Department)

Supervisor Campos requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121107 [Health Code - Disclosing Landlord's Prohibition of Smoking in Residential Rental Units; Designating Units as Smoke Free or Smoking Optional]
Sponsors: Mar; Cohen

Ordinance amending the Health Code, by adding Article 19M, relating to multi-unit residential rental properties where less than 100 percent of the units are designated as smoke free, to require that owners designate each unit as either smoke free or smoking optional, and include that designation in residential vacancy listings; provide a list to a rental applicant showing the designation of units in the building that are smoking optional, before offering a unit to that applicant; disclose in writing to any rental applicant whether the landlord has designated the unit for rent as smoke free or smoking optional, prior to entering into a new lease or rental agreement; develop and maintain a master list available to all tenants that identifies the location of each smoking optional unit; and comply with a timeline and process to designate the units as smoke free or smoking optional (one year for owners of 50 units or less in the City, two years for owners of more than 50 units in the City).

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendations of the Rules Committee

120817 [Campaign and Governmental Conduct Code - Requiring Electronic Filing of Campaign Statements]
Sponsor: Chiu

Ordinance amending the Campaign and Governmental Conduct Code, Section 1.112, to require the electronic filing of campaign statements submitted to the Ethics Commission.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

120964 [Campaign and Governmental Conduct Code - Updating Conflict of Interest Code]
Sponsor: Chiu

Ordinance amending the Campaign and Governmental Conduct Code to update the City's Conflict of Interest Code.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121030 [Police Code - Enforcement Provisions for Clipper Cove Special-Use Area Adjacent to Treasure Island]

Sponsor: Kim

Ordinance amending the Police Code, Section 1.1, Mooring in Clipper Cove, to further delineate enforcement provisions including infractions, provide for administrative citations and penalties, specify procedures for changing rules and regulations, and clarify existing provisions.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121117 [Appointment, Market and Octavia Community Advisory Committee - Nicholas Wolff]

Motion appointing Matthew Steen, term ending December 16, 2014, to the Market and Octavia Community Advisory Committee. (Clerk of the Board)
(Supervisor Farrell dissented in Committee.)

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Motion appointing Nicholas Wolff, term ending December 16, 2014, to the Market and Octavia Community Advisory Committee. (Clerk of the Board)

Motion No. M13-004

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Farrell, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Patricia Kaussen of the Richmond District Neighborhood Center in recognition of her accomplishments upon her retirement.

Supervisor Farrell introduced, welcomed, and presented a Certificate of Honor to the San Francisco Junior Glens Soccer Team in recognition of their accomplishments and continued team sportsmanship.

SPECIAL ORDER 3:00 P.M

121219 [Public Hearing - Appeal of Tentative Map - 1 Capitol Avenue]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated December 10, 2012, approving a Tentative Map for a 29-lot subdivision located at 1 Capitol Avenue, in Assessor's Block No. 7148, Lot No. 040. (District No. 11) (Appellant: Linda Lam) (Filed December 20, 2012). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Linda Lam (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Francisco Da Costa; Douglas Yepp; Female Speaker; Ray Hartz; Male Speaker; spoke in support of the appeal. Bruce Storrs (Department of Public Works) and AnMarie Rodgers (Planning Department) provided an overview of the decision of the Department of Public Works and the findings of the Planning Department and responded to questions raised throughout the discussion. Meredyth Skemp, Habitat for Humanity (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. There were no speakers in support of the project and in opposition to the appeal. Linda Lam (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

121220 [Approving Decision of the Department of Public Works and Approving the Tentative Map - 1 Capitol Avenue]

Motion approving decision of the Department of Public Works and approving the Tentative Map for a 29-lot subdivision located at 1 Capitol Avenue, Assessor's Block No. 7148, Lot No. 040; making environmental findings and findings of consistency with the City's General Plan and eight priority policies of San Francisco Planning Code, Section 101.1. (Clerk of the Board)

Motion No. M13-003

Supervisor Avalos, seconded by Supervisor Chu, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121221 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Map - 1 Capitol Avenue]

Motion disapproving decision of the Department of Public Works and disapproving the Tentative Map for a 29-lot subdivision located at 1 Capitol Avenue, Assessor's Block No. 7148, Lot No. 040; making environmental findings and findings of consistency with the City's General Plan and eight priority policies of San Francisco Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Avalos, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121222 [Preparation of Findings Related to the Tentative Map Disapproval - 1 Capitol Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map for a 29-lot subdivision located at 1 Capitol Avenue, Assessor's Block No. 7148, Lot No. 040. (Clerk of the Board)

Supervisor Avalos, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to government. (See additional information submitted on Page 35.)
Male Speaker; expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library, mural project, and LGBT issues.
Francisco Da Costa, expressed various concerns.
Walter Paulson; shared in song certain concerns with the Board.
Tom Gilberty; expressed various concerns relating to public comment and noise pollution.
John DiDonna; shared in poem certain concerns with the Board.
Otto Duffy; expressed concerns relating to government service.
Ace Washington; expressed various concerns.
Douglas Yepp; expressed various concerns.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.
Male Speaker; expressed various religious concerns.
Edmond Juicye; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

121205 [Approval of a 90 Day Extension for Planning Commission Review of Conversion of Student Housing Monitoring (File No. 120883)]
Sponsor: Kim
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120883) amending the Planning Code, by adding Section 102.36.1, to establish an annual monitoring requirement for student housing conversions, to require a posting to announce that the report is available for public review, and to provide an enforcement mechanism for failure to submit the annual report, adopting findings, including environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Resolution No. 008-13

ADOPTED

121206 [Extending the Single Room Occupancy Task Force - December 31, 2015]
Sponsors: Kim; Campos and Chiu
Resolution amending the Single Room Occupancy Task Force to extend it three years beyond the current sunset date of December 31, 2012, to December 31, 2015.

Resolution No. 009-13

ADOPTED

130021 [Approval of 90 Day Extension - Planning Commission Review of Establishing the Fillmore Street Neighborhood Commercial District (File No. 120814)]
Sponsor: Breed
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120814) amending the San Francisco Planning Code, by adding Section 744.1, to establish the Fillmore Street Neighborhood Commercial District along Fillmore Street between Bush and Fulton Streets; amending Section 151.1, a portion of Table 151.1, Section 263.20, and Section 607.1(f) to make conforming and other technical changes; amending Sheets ZN02 and ZN07 of the San Francisco Zoning Maps to rezone specified properties to the Fillmore Street Neighborhood Commercial District; and adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Resolution No. 010-13

ADOPTED

130023 [Apply for, Accept, and Expend Grant - Urban Forestry Programs - Not to Exceed $99,000]
Sponsor: Wiener
Resolution authorizing the Planning Department to apply for, accept, and expend funding from the State of California Urban Forestry Grant Program entitled "Leading Edge," as provided through Proposition 40 and/or Proposition 84, in an amount not to exceed $99,000.

Resolution No. 011-13

ADOPTED

121217 [Final Map 5039 - 1946 Polk Street]
Motion approving Final Map 5039, a 2 Commercial and 41 Residential Unit Mixed-Use Condominium Project, located at 1946 Polk Street being a subdivision of Assessor's Block No. 0596, Lot No. 024, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-005

APPROVED

121218 [Final Map 6405 - 1120-1130 Kearny Street]
Motion approving Final Map 6405, a 6 Unit Residential Condominium Project, located at 1120-1130 Kearny Street being a subdivision of Assessor's Block No. 0144, Lot No. 022, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-006

APPROVED

121223 [Final Map 6409 - 1145 Green Street]
Motion approving Final Map 6409, a 6 Unit Residential Condominium Project, located at 1145 Green Street being a subdivision of Assessor's Block No. 0125, Lot No. 019A, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-007

APPROVED

121224 [Final Map 7090 - 1800 Van Ness Avenue]
Motion approving Final Map 7090, a 2 Lot Merger and Resubdivision into Parcel A and Parcel B, being also a 98 Residential Unit Condominium Project (Parcel A) and a 3 Commercial Unit Condominium Project (Parcel B), located at 1800 Van Ness Avenue being a subdivision of Assessor's Block No. 0619, Lot Nos. 009 and 010, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-008

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130035 [Patricia Kaussen Day - January 17, 2013]
Sponsor: Mar
Resolution commending Patricia Kaussen on the occasion of her retirement as Executive Director of the Richmond District Neighborhood Center and declaring January 17, 2013, as Patricia Kaussen Day in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130035. There were no speakers. The President declared public comment closed.

Resolution No. 012-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Cohen, seconded by Supervisor Farrell, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Cohen, seconded by Supervisor Farrell, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130036 [Commemorating the 150th Anniversary of the Emancipation Proclamation]
Sponsor: Cohen
Resolution commemorating the 150th anniversary of the issuance of the Emancipation Proclamation.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130036. There were no speakers. The President declared public comment closed.

Resolution No. 013-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Charter Amendment

130037 [Charter Amendment - Naming Airport - Harvey Milk San Francisco International Airport]
Sponsors: Campos; Wiener, Avalos, Mar and Kim
Charter Amendment (First Draft) to amend the Charter, Sections 4.1115 and 16.104, naming the airport the Harvey Milk San Francisco International Airport.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/14/2013.

Ordinances

120669 [Subdivision Code - Condominium Conversion Impact Fee]
Sponsors: Farrell; Wiener
Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion impact fee applicable to buildings qualifying for but not being selected or participating in the 2012 condominium conversion lottery only, subject to specified requirements, including lifetime leases for non-purchasing tenants; and adopting environmental findings.

06/12/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/12/2012.

06/20/12; REFERRED TO DEPARTMENT.

01/04/13; RESPONSE RECEIVED.

01/09/13; NOTICED.

01/15/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

130038 [Appropriating $1,500,000 for the San Francisco Unified School District - FY2012-2013]
Sponsor: Mayor
Ordinance appropriating $1,500,000 from the Rainy Day Fund for the San Francisco Unified School District for FY2012-2013.
(Fiscal Impact)

01/15/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/14/2013.

130039 [Police Code - Reporting Ammunition Sales of 500 or More Rounds]
Sponsors: Mayor; Cohen and Campos
Ordinance amending the Police Code, Section 615, to require firearms dealers to report to the Chief of Police the sale of 500 or more rounds of ammunition in a single transaction.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 2/14/2013.

130040 [Police Code - Possession or Sale of Law Enforcement or Military Ammunition]
Sponsors: Mayor; Cohen, Breed and Campos
Ordinance amending the Police Code, by adding Section 618, to prohibit the possession or sale of certain ammunition, including black talon ammunition and ammunition intended exclusively for law enforcement and military purposes.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 2/14/2013.

130041 [Planning Code - Conversion, Demolition, Merger, and Conformity of Residential Uses]
Sponsor: Avalos
Ordinance amending Planning Code, Section 317, and various other sections, and repealing Sections 790.84, 790.86, 890.84, and 890.86, to revise the criteria for the residential demolition, conversion, and merger; standardize definitions of residential demolition, conversion, and merger across various use districts; permit the enlargement or alteration of dwelling units which are nonconforming as to density in districts where dwelling units are principally permitted if there is no increase in nonconformity of height, bulk, or required rear yards or setbacks; permit alterations to nonconforming uses or noncomplying structures to comply with disabled access requirements or to provide secure bicycle parking; establish a strong presumption in favor of preserving dwelling units in enforcement of requirements for nonconforming uses, structures, and lots; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2013.

130042 [Planning Code - Medical Service Use - Sacramento Neighborhood Commercial District]
Sponsor: Farrell
Ordinance amending the Planning Code, Section 724.1, and related portions of Table 724, to permit a change of use from a business or professional service use to medical service use on the first floor or below in the Sacramento Neighborhood Commercial District; and making environmental findings, Planning Code, Section 101.1, findings, and findings of consistency with the General Plan.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2013.

Resolutions

130043 [Resolution to Establish - Moscone Expansion Business Improvement District]
Resolution of formation to establish a business-based business improvement district to be known as the "Moscone Expansion District;" levying assessments against defined hotel businesses located in that district for 32 years; providing for the determination, imposition, collection, and enforcement of the assessments; and making environmental findings.
(Economic Impact)

12/28/12; RESPONSE RECEIVED.

01/15/13; ASSIGNED to Board of Supervisors.

130044 [Accept and Expend Gift - GearUp Fund and Urban Trails Initiative Fund - $189,494.24]
Sponsor: Farrell
Resolution authorizing the Recreation and Park Department to accept and expend a gift from San Francisco Parks Trust for $189,494.24 for urban trails construction, signage, and mobile recreation, for a period to remain in effect until completion.

01/15/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130045 [Accept and Expend Grant - Randall Museum Renovation - $5,477,193]
Sponsor: Wiener
Resolution authorizing the Recreation and Park Department to retroactively accept and expend a Nature Education Facilities Grant from the California State Department of Parks and Recreation in the amount of $5,477,193 for the Randall Museum Renovation, for the period of July 1, 2009, through June 30, 2017.

01/15/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130046 [Accept and Expend Gift - Knight Living Trust - $500,000]
Sponsor: Yee
Resolution authorizing the Department of Public Health, Laguna Honda Hospital, and Rehabilitation Center to retroactively accept and expend a gift of $500,000 to the Laguna Honda Gift Fund from the Knight Living Trust for the period of July 1, 2012, through June 30, 2032.

01/15/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130047 [Accept In-Kind Gift - Randall Museum Project Management Services - $130,000]
Sponsors: Wiener; Campos
Resolution authorizing the Recreation and Park Department to retroactively accept an in-kind gift of project management services valued at $130,000 from the Randall Museum Friends for the Randall Museum Renovation Project, for the period of October 24, 2012, through June 30, 2017.

01/15/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130048 [Declaring Support - Sandy Hook Promise]
Sponsors: Farrell; Chiu, Mar, Chu and Campos
Resolution adopting the Sandy Hook Promise for the families and children of the City and County of San Francisco.

01/15/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130049 [Declaring Support - Senator Dianne Feinstein's Assault Weapons Regulatory Act of 2013]
Sponsors: Farrell; Chiu, Mar, Chu and Campos
Resolution supporting Senator Dianne Feinstein's Assault Weapons Regulatory Act of 2013.

01/15/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

130050 [Amending the Board's Rules - Establish Neighborhood Services and Safety Committee - Combining the City Operations and Neighborhood Services and the Public Safety Committees]
Sponsor: Chiu
Motion amending the Board of Supervisors Rules of Order, Rule 3.27, and deleting Rule 3.29, to establish the Neighborhood Services and Safety Committee by combining the City Operations and Neighborhood Services Committee and the Public Safety Committee.

01/15/13; RECEIVED AND ASSIGNED to Rules Committee.

Requests for Hearing

130051 [Hearing - Improve and Ensure San Francisco's Overall Cleanliness]
Sponsor: Farrell
Hearing on the measures being taken to ensure that San Franciscans are able to enjoy clean streets and open spaces; San Francisco residents deserve clean streets and open spaces; overall City cleanliness in these areas are not only crucial to improving everyone's quality of life, but also to improving our local economy as well; San Francisco is an international tourist and visitor destination; San Francisco's economy relies heavily upon the tourism and visitor industry; in order to attract more tourists and visitors to our beautiful City, we must ensure that adequate and appropriate measures are being taken to make San Francisco one of the cleanest big cities in the world.

01/15/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

130052 [Hearing - Sunday Parking Meter Enforcement Results]
Sponsor: Mar
Hearing on the results of Parking Meter Enforcement on Sundays.

01/15/13; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

130053 [Hearing - Municipal Transportation Agency - Performance and Productivity Impacts]
Sponsor: Wiener
Hearing and monthly report, directed to the Municipal Transportation Agency and the Controller, analyzing and disclosing the state of Municipal Transportation Agency service and maintenance, including month-on-month comparisons, and the loss of economic productivity in San Francisco resulting from Municipal Transportation Agency service disruptions.

01/15/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130054 [Hearing - Pedestrian Safety - District 7]
Sponsor: Yee
Hearing and presentations from the Municipal Transportation Agency, Planning Department, Transportation Authority, and Department of Public Health, on pedestrian safety in District 7; including report on number of collisions and fatal collisions, most dangerous intersection, and plans on funding to address these intersections.

01/15/13; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

130055 [Hearing - Board of Supervisors Draft Budget - FYs 2013-2014 and 2014-2015]
Hearing on the annual review and adoption of the Board of Supervisors Draft Budget for FYs 2013-2014 and 2014-2015. (Clerk of the Board)

01/11/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

Pursuant to Rules of Order of the Board of Supervisors Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced.

PROPOSED ORDINANCES

130001 [General Plan Amendments - Western South of Market Area Plan]
Ordinance amending the General Plan, by adding the Western South of Market (SoMa) Area Plan, generally bounded on its western portion by 7th Street, Mission Street, Division Street, and Bryant Street, and on its eastern portion by 7th Street, Harrison Street, 4th Street, and Townsend Street; making conforming amendments to the Housing, Commerce and Industry, and Recreation and Open Space Elements, the Land Use Index, and the SoMa, East SoMa, Mission, Showplace Square/Potrero, and Central Waterfront Area Plans; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. (Planning Department)

01/04/13; RECEIVED FROM DEPARTMENT.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2013.

130002 [Planning Code - Implementing the Western South of Market Area Plan]
Sponsor: Kim
Ordinance amending the Planning Code, by adding and amending various sections to implement the goals, objectives, and policies of the Western South of Market Area Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area; and making findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

01/04/13; RECEIVED FROM DEPARTMENT.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2013.

130003 [Zoning Map - Height and Bulk Revisions to the Western South of Market Area Plan]
Sponsor: Kim
Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, and HT08 to revise use districts and height and bulk districts within the Western South of Market Plan Area; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and Planning Code, Section 101.1.

01/04/13; RECEIVED FROM DEPARTMENT.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2013.

130004 [Administrative Code - Adding Western South of Market Area Plan to Eastern Neighborhoods Area Plan Monitoring Program]
Sponsor: Kim
Ordinance amending the Administrative Code, Section 10E.2, to integrate the Western South of Market (SoMa) Area Plan into the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Western SoMa Area Plan and inclusion of the Western SoMa Area Plan into the Eastern Neighborhoods reporting requirement, Eastern Neighborhoods capital expenditures plan, and the Eastern Neighborhoods Citizens Advisory Committee; and making environmental findings.

01/04/13; RECEIVED FROM DEPARTMENT.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2013.

130029 [Building Code - Seismic Standards]
Sponsor: Chiu
Ordinance amending the Building Code, and adding various sections, concerning seismic standards and making conforming changes; making environmental findings; making findings pursuant to California Health and Safety Code, Section 17958.5; and directing the Clerk of the Board to forward this legislation to the California Building Standards Commission.

01/07/13; RECEIVED FROM DEPARTMENT.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2013.

PROPOSED RESOLUTION

130005 [Street Artist Spaces - Market Street, Spear to Steuart Streets]
Resolution approving designation of six selling spaces on Market Street, north side, Spear to Steuart Streets, for street artists certified by the Arts Commission; and exempting said spaces from the regulations of Police Code, Section 2405, relating to street artist display size. (Arts Commission)

01/03/13; RECEIVED FROM DEPARTMENT.

01/15/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Request Granted

From: Supervisor Chiu
To: City Attorney
Requesting/Inquiring: Requesting legislation to require that conduit for optical fiber be installed when streets under construction. Also requiring an analysis of the business case for the City's leasing of dark fiber.

In Memoriams

Vivian Brown - President Chiu
Robert Morgan -Supervisor Cohen
Hilliard C. Terry - Supervisor Cohen
Robert Cardinale - Supervisor Cohen
Mark Anthony Burrell - Supervisor Avalos

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:43 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 26, 2013.

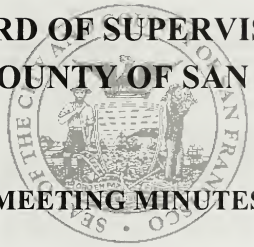
Angela Calvillo, Clerk of the Board

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: Here's a question I would ask the mayor: Mayor Lee, why do you leave yourself open to charges of having a double standard regarding the behavior of public officials? In July 2011, the Ethics Commission determined that Library Commission President Jewelle Gomez' actions fell below the standards appropriate for a public official. In a unanimous decision, the Ethics Commission recommended that the mayor remove Ms. Gomez. In September 2012, the Ethics Commission sent a follow-up letter requesting the mayor advise the commission as to the reasons why he declines to take any action with respect to Ms. Gomez' conduct? So, while the mayor was using the same Ethics Commission in an attempt to overturn the results of a lawful election, he refused to even acknowledge the recommendation regarding one of his appointed officials. Well, boys and girls, can you spell the work "hypocritical?"

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES

Tuesday, January 29, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

APR - 7 2015

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 1:00 PM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Government Audit and Oversight Committee Supervisors Chu, Cohen, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Public Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Carmen Chu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

121163 [Accept and Expend Grant - TechSF-Workforce Innovation Partnership and Amendment to the Annual Salary Ordinance - $3,000,000]
Sponsor: Mayor
Ordinance authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $3,000,000 from the Department of Labor for the TechSF-Workforce Innovation Partnership, and amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect addition of one (1) Class 9775 Senior Community Development Specialist II grant-funded position (0.77 FTE) in the Office of Economic and Workforce Development and one (1) Class 1053 IS Business Analyst - Senior grant-funded position (0.77 FTE) in the Department of Technology.

Ordinance No. 013-13

FINALLY PASSED

121164 [Accept and Expend Grant - Office of Financial Empowerment Kindergarten to College Outreach Position and Amendment to the Annual Salary Ordinance - Up to $80,000]

Sponsor: Mayor

Ordinance authorizing the Office of the Treasurer-Tax Collector to accept and expend a grant in the amount of up to $80,000 from the Earned Assets Resource Network for implementing the Office of Financial Empowerment Kindergarten to College program, and amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to provide for the creation of one (1) grant-funded position in the Office of Financial Empowerment.

Ordinance No. 014-13

FINALLY PASSED

121196 [Accept and Expend Grant - Energy Efficiency Program and Amendment to the Annual Salary Ordinance - $13,100,000]

Sponsor: Mayor

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of $13,100,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to implement an Energy Use and Demand Reduction through Energy Efficiency Program and amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect the addition of three grant funded positions (3 FTE) at the Department of the Environment, for a term from January 1, 2013, through December 31, 2014.

Ordinance No. 015-13

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

120789 [Planning Code - Landmark Designation of 4004-4006 Third Street - Sam Jordan's Bar]

Sponsor: Cohen

Ordinance designating 4004-4006 Third Street (Sam Jordan's Bar), Assessor's Block No. 5253, Lot No. 030, as a landmark under Planning Code, Article 10; and adopting General Plan, Planning Code, Section 101.1, and environmental findings. (Planning Department)

Ordinance No. 007-13

FINALLY PASSED

121061 [Planning Code - Landmark Designation of 401 Castro Street (Twin Peaks Tavern)]

Sponsors: Wiener; Campos

Ordinance designating 401 Castro Street (Twin Peaks Tavern), Assessor's Block No. 3582, Lot No. 71, as a landmark under Planning Code, Article 10; and adopting General Plan, Planning Code, Section 101.1, and environmental findings. (Planning Department)

Ordinance No. 011-13

FINALLY PASSED

121107 [Health Code - Disclosing Landlord's Prohibition of Smoking in Residential Rental Units; Designating Units as Smoke Free or Smoking Optional]
Sponsors: Mar; Cohen
Ordinance amending the Health Code, by adding Article 19M, relating to multi-unit residential rental properties where less than 100 percent of the units are designated as smoke free, to require that owners designate each unit as either smoke free or smoking optional, and include that designation in residential vacancy listings; provide a list to a rental applicant showing the designation of units in the building that are smoking optional, before offering a unit to that applicant; disclose in writing to any rental applicant whether the landlord has designated the unit for rent as smoke free or smoking optional, prior to entering into a new lease or rental agreement; develop and maintain a master list available to all tenants that identifies the location of each smoking optional unit; and comply with a timeline and process to designate the units as smoke free or smoking optional (one year for owners of 50 units or less in the City, two years for owners of more than 50 units in the City).

Ordinance No. 012-13

FINALLY PASSED

Recommendations of the Rules Committee

120964 [Campaign and Governmental Conduct Code - Updating Conflict of Interest Code]
Sponsor: Chiu
Ordinance amending the Campaign and Governmental Conduct Code to update the City's Conflict of Interest Code.

Ordinance No. 009-13

FINALLY PASSED

121030 [Police Code - Enforcement Provisions for Clipper Cove Special-Use Area Adjacent to Treasure Island]
Sponsor: Kim
Ordinance amending the Police Code, Section 1.1, Mooring in Clipper Cove, to further delineate enforcement provisions including infractions, provide for administrative citations and penalties, specify procedures for changing rules and regulations, and clarify existing provisions.

Ordinance No. 010-13

FINALLY PASSED

121190 [Settlement of Lawsuit - Bryan Vestal - $420,000]
Ordinance authorizing settlement of the lawsuit filed by Bryan Vestal against the City and County of San Francisco for $420,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507921; entitled Bryan Vestal v. City and County of San Francisco, et al.; another material term of said settlement is the waiver of the San Francisco General Hospital medical lien in the amount of $110,098.30. (City Attorney)

PASSED, ON FIRST READING

121226 [Settlement of Lawsuit - Sandra Ramos - $60,000]

Ordinance authorizing settlement of the lawsuit filed by Sandra Ramos against the City and County of San Francisco for $60,000; the lawsuit was filed on October 12, 2011, in the United States District Court for the Northern District of California, Case No. C-11-5033 WHA, entitled Sandra Ramos v. City and County of San Francisco; other material terms of said settlement are reimbursement to Plaintiff of up to $2,500 for services of an organizational consultant. (City Attorney)

PASSED, ON FIRST READING

121227 [Settlement of Lawsuit - Health Net - City to Receive $800,000 and Future Payments]

Ordinance authorizing settlement of the lawsuit filed by the San Francisco City Attorney's Office, acting on behalf of the People of the State of California, against (among other Defendants) Health Net of California, Inc., for the payment by Health Net of $800,000 for under reimbursing San Francisco General Hospital for emergency medical care provided to Health Net's insureds prior to January 1, 2012, and for the payment of an additional amount, to be determined, for such claims rising between January 1, 2012, and June 30, 2014; the lawsuit was filed on May 24, 2011, in the San Francisco Superior Court, Case No. 11-511181; entitled People of the State of California v. Health Net, et al.; other material terms of said settlement are that Health Net and San Francisco will enter into a prompt payment agreement under which Health Net agrees to pay San Francisco General Hospital certain specified rates for treatment provided to its insureds for emergency medical services rendered from January 1, 2012, through at least June 30, 2014. (City Attorney)

PASSED, ON FIRST READING

121228 [Settlement of Lawsuit - Brendan Cadam - $42,500]

Ordinance authorizing settlement of the lawsuit filed by Brendan Cadam against the City and County of San Francisco for $42,500; the lawsuit was filed on July 3, 2012, in San Francisco Superior Court, Case No. CGC-12-522047; entitled Brendan Cadam, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

121229 [Settlement of Lawsuit - Maya Vlanin - $95,000]

Ordinance authorizing settlement of the lawsuit filed by Maya Vlanin against the City and County of San Francisco for $95,000; the lawsuit was filed on June 29, 2010, in San Francisco Superior Court, Case No. CGC-10-501138; entitled Maya Vlanin v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

121161 [Settlement of Claim - Crystal Cheung - $110,000]

Resolution approving the proposed settlement of claim by Crystal Cheung against the City and County of San Francisco for $110,000; the claim was filed on January 24, 2012, bearing Claim No. 12-01653. (City Attorney)

Resolution No. 016-13

ADOPTED

130006 [Appointments, Assessment Appeals Board No. 1 - Joseph Tham, Mark Watts, Scott Spertzel, and Donna Crowder]

Motion appointing Joseph Tham, Mark Watts, Scott Spertzel, and Donna Crowder, terms ending September 7, 2015, to the Assessment Appeals Board No. 1. (Clerk of the Board)

Motion No. M13-009

APPROVED

130013 [Appointments, Assessment Appeals Board No. 2 - Louisa Mendoza, Daniel Hershkowitz, Joyce Lewis, and Diana Daniel]

Motion appointing Louisa Mendoza, Daniel Hershkowitz, Joyce Lewis, and Diana Daniel, terms ending September 7, 2015, to the Assessment Appeals Board No. 2. (Clerk of the Board)

Motion No. M13-010

APPROVED

130014 [Appointment, Bicycle Advisory Committee - Casey Allen]

Motion appointing Casey Allen, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Motion No. M13-011

APPROVED

130028 [Appointment, Eastern Neighborhoods Citizens Advisory Committee - Walker Bass]

Motion appointing Walker Bass, term ending October 19, 2013, to the Eastern Neighborhood Citizens Advisory Committee. (Clerk of the Board)

Motion No. M13-012

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

120550 [Affirming Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to March 12, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

120551 [Reversing Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to March 12, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

120552 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]
Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to March 12, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

120772 [Health, Transportation Codes - Prohibiting Smoking at Certain Outdoor Events]
Sponsors: Mar; Cohen and Farrell
Ordinance amending the Health Code, by adding Article 19L, to prohibit smoking at outdoor events on property owned by the City and County of San Francisco where approval is required under Transportation Code, Article 6; the Transportation Code, by amending Sections 6.2 and 6.7, establishing obligations for producers of outdoor events that require approval for temporary use or occupancy of a public street to notify the public that the event is smoke-free; and making environmental findings.

Ordinance No. 006-13

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendation of the Rules Committee

120817 [Campaign and Governmental Conduct Code - Requiring Electronic Filing of Campaign Statements]
Sponsor: Chiu
Ordinance amending the Campaign and Governmental Conduct Code, Section 1.112, to require the electronic filing of campaign statements submitted to the Ethics Commission.

Ordinance No. 008-13

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

121194 [Administrative Code - Water Enterprise Capital Cost Recovery Payment Surcharge Fund]
Sponsors: Mayor; Chu
Ordinance amending the Administrative Code, Chapter 10, Article XIII, to create the Public Utilities Water Enterprise Capital Cost Recovery Payment Surcharge Fund.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121195 [Appropriating $2,566,145 of General Fund Reserve to the Treasurer/Tax Collector - FY2012-2013]

Sponsors: Mayor; Chiu, Farrell and Avalos

Ordinance appropriating $2,566,145 from the General Fund Reserve to the Treasurer/Tax Collector for Gross Receipts Tax Implementation Planning for FY2012-2013.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121197 [Public Employment - Amending the Annual Salary Ordinance for Implementation of Proposition E and the Gross Receipts Tax]

Sponsors: Mayor; Chiu, Farrell and Avalos

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect the addition of 5 positions (2.2 FTE) in the Office of the Treasurer/Tax Collector for the implementation of Proposition E and the Gross Receipts Tax.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121085 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]

Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvement; workers performing work under City contracts for janitorial services; workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; workers engaged in theatrical or technical services for shows on property owned by the City; workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; and workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)

Resolution No. 015-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121193 [Contract Amendment - Renewable Energy and Climate Change Professional Services - $31,400,000]

Resolution approving the Fourth Amendment to the contract with ICF Resources, LLC, for Renewable Energy and Climate Change Professional Services, to increase the amount of the contract by $12,400,000 for a total of $31,400,000 and to extend the term of the contract from July 1, 2014, to December 31, 2016. (Environment)

Resolution No. 017-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121203 [Prepayment and Collection Agreement - Bay Area Water Supply and Conservation Agency]

Sponsors: Mayor; Chu

Resolution approving the Prepayment and Collection Agreement between the Bay Area Water Supply and Conservation Agency and the Public Utilities Commission and authorizing the taking of appropriate actions in connection therewith, and related matters, for a term ending July 1, 2036. (Fiscal Impact)

Resolution No. 014-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121202 [Accept and Expend Grant - FY2012 Emergency Management Performance Grant - $289,613]

Sponsor: Mayor

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2012 Emergency Management Performance Grant in the amount of $289,613 from the United States Department of Homeland Security, through the California Emergency Management Agency, for building and sustaining preparedness capabilities, for the period of July 1, 2012, to June 30, 2013.

Resolution No. 018-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121210 [Agreement - Fong and Chan Architects, Inc. - San Francisco General Hospital Rebuild Program]

Resolution ratifying Modification No. 7 to the Architectural and Engineering Design Services Agreement with Fong & Chan Architects, Inc., for the San Francisco General Hospital Rebuild Program from $51,507,500 to $52,521,000 and authorizing the Director of Public Works to execute Modification No. 10 from $52,710,860 to $53,376,607 pursuant to Charter Section 9.118(b). (Public Works Department)

Resolution No. 019-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130022 [Apply for, Accept, and Expend - Local Priority Development Area Planning and Implementation Efforts - $2,380,000]

Sponsor: Wiener

Resolution authorizing the Planning Department to apply for, accept, and expend funds in the amount of $2,380,000 from the Metropolitan Transportation Commission for local Priority Development Area Planning and Implementation efforts spanning FYs 2012-2013 through 2015-2016.

Resolution No. 020-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

120959 **[Building Code - Fees and Permit Extensions]**
Ordinance amending the Building Code, Sections 106A.3.7, 106A.3.8.1, 106A.4.1, and 106A.4.4, to address permit expirations and extensions and Tables 1A-A, 1A-G, 1A-J, 1A-K, and 1A-L, of Section 110A, to modify various fees; and making environmental findings. (Building Inspection Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Wiener, seconded by Supervisor Chu, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to the Residents of Noe Valley Town Square, namely Todd David, Christopher Keene, Leslie Crawford, Nisha Pillai, and Kate Sherwood, in recognition of their accomplishments and continued community support.

Supervisor Chu introduced, welcomed, and presented Certificates of Honor to Angelica Quicksey, Thomas Gonzales, Lindsay Goodwin, Rachel Alonso, Rob Chappell, Dan Parham, Darin Dinsmore, and the N Judah Turnaround Beautification Project Steering Committee, in recognition of their accomplishments and continued community support.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to government and the SF Public Library. (See additional information submitted on Page 16.)
Aja Monet; expressed various concerns.
Male Speaker; expressed various concerns.
Eugene Gordon, Jr.; expressed concerns relating to First Amendment Rights and open government.
Walter Paulson; shared in song certain concerns with the Board.
Francisco Da Costa; expressed concerns relating to SFUSD employment and proposed wellness center.
Male Speaker; expressed various concerns.
Calvin Welch; expressed concerns relating to closure of Haight Ashbury Recycling Center.
Michael Barry; expressed concerns relating to closure of Haight Ashbury Recycling Center.
Richard Ivanhoe; expressed concerns relating to closure of Haight Ashbury Recycling Center.
Tess Walbard; expressed concerns relating to closure of Haight Ashbury Recycling Center.
Male Speaker; expressed concerns relating to closure of Haight Ashbury Recycling Center.
Ace Washington; spoke relating to Black History Month and expressed various other concerns.
Robert Green; spoke in opposition to proposed resolution supporting assault weapons act.
Virginia Barrett; shared in poem certain concerns with the Board.
Tom Gilberty; expressed various concerns relating to public comment and noise pollution.
Male Speaker; expressed various concerns relating to Assembly Bill 716.
Douglas Yepp; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130048 [Declaring Support - Sandy Hook Promise]
Sponsors: Farrell; Chiu, Mar, Chu and Campos
Resolution adopting the Sandy Hook Promise for the families and children of the City and County of San Francisco.

Supervisors Mar, Chu, and Campos requested to be added as co-sponsors.

Resolution No. 021-13

ADOPTED

130049 [Declaring Support - Senator Dianne Feinstein's Assault Weapons Regulatory Act of 2013]
Sponsors: Farrell; Chiu, Mar, Chu and Campos
Resolution supporting Senator Dianne Feinstein's Assault Weapons Regulatory Act of 2013.

Supervisors Mar, Chu, and Campos requested to be added as co-sponsors.

Resolution No. 022-13

ADOPTED

130007 [Final Map 6902 - 261-265 Dolores Street]
Motion approving Final Map 6902, a Subdivision of Airspace for Residential Purposes, Parcel "B" being a Three Unit Residential Condominium Project, located at 261-265 Dolores Street being a subdivision of Assessor's Block No. 3556, Lot No. 030, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-013

APPROVED

130008 [Final Map 7040 - 200 Dolores Street]
Motion approving Final Map 7040, a 13 Residential Unit Condominium Project, located at 200 Dolores Street being a subdivision of Assessor's Block No. 3557, Lot No.132, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-014

APPROVED

130009 [Final Map 7357 - 610-616 20th Street]
Motion approving Final Map 7357, a 16 Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 610-616 20th Street being a subdivision of Assessor's Block No. 4058, Lot No. 008, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-015

APPROVED

130010 [Final Map 6977 - 435 Duboce Avenue]
Motion approving Final Map 6977, a Two Lot Subdivision, Parcel "A" being a Four Residential and One Commercial Unit, Mixed-Use Condominium Project, located at 435 Duboce Avenue being a subdivision of Assessor's Block No. 3537, Lot No. 087, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-016

APPROVED

130011 [Final Map 7288 - 4201 California Street]
Motion approving Final Map 7288, a Six Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 4201 California Street being a subdivision of Assessor's Block No. 1364, Lot No. 048, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-017

APPROVED

130012 [Final Map 6895 - 693 Sutter Street]
Motion approving Final Map 6895, a 17 Residential Unit and Three Commercial Unit, Mixed-Use Condominium Project, located at 693 Sutter Street being a subdivision of Assessor's Block No. 0297, Lot No. 009, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-018

APPROVED

130058 [Final Map 5215 - 1275 Indiana Street, 1260 Minnesota Street]
Motion approving Final Map 5215, a 39 Residential Unit and Three Commercial Unit, Mixed-Use Condominium Project, located at 1275 Indiana Street, 1260 Minnesota Street being a subdivision of Assessor's Block No. 4228, Lot No. 158, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-019

APPROVED

130059 [Final Map 6479 - 300-304 Sanchez Street, 3509-3511 16th Street]
Motion approving Final Map 6479, a Four Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 300-304 Sanchez Street, 3509-3511 16th Street being a subdivision of Assessor's Block No. 3564, Lot No. 107, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-020

APPROVED

130060 [Final Map 7387 - 1945 Hyde Street]
Motion approving Final Map 7387, a Seven Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 1945 Hyde Street being a subdivision of Assessor's Block No. 0123, Lot No. 002, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-021

APPROVED

130061 [Final Map 7367 - 1461 Pine Street]
Motion approving Final Map 7367, a 35 Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 1461 Pine Street being a subdivision of Assessor's Block No. 0668, Lot Nos. 012, 013, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-022

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

121019 [Administrative Code - California Environmental Quality Act Procedures]
Sponsor: Wiener

Ordinance amending Administrative Code, Chapter 31, to reflect revisions in the California Environmental Quality Act (CEQA) and to update and clarify certain procedures provided for in Chapter 31, including without limitation: codifying procedures for appeals of exemptions and negative declarations; providing for the Board to make the final CEQA decision on projects requiring Board legislative action, negating the need to file formal CEQA appeals; revising noticing procedures for environmental impact reports and negative declarations for plan area projects exceeding 20 acres; expanding noticing requirements for certain exempt projects; and clarifying existing noticing requirements for exempt projects.

10/16/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/15/2012.

10/29/12; REFERRED TO DEPARTMENT.

11/13/12; RESPONSE RECEIVED.

11/20/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

12/03/12; RESPONSE RECEIVED.

01/29/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

130019 [Planning Code, Zoning Map - Central Subway Tunnel Boring Machine Extraction Site Special Use District]

Sponsor: Chiu

Ordinance amending the Planning Code, by adding Section 249.70, to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street, to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps HT 01 and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; adopting findings, including environmental findings, and findings of consistency with the General Plan.

01/08/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/7/2013.

01/16/13; REFERRED TO DEPARTMENT.

01/29/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

130083 [Appointment, Road Commissioner - Mohammed Nuru]

Sponsor: Mayor

Ordinance appointing Mohammed Nuru, Director of the Department of Public Works, as Road Commissioner; repealing Ordinance No. 160-10; and authorizing future appointments of the Road Commissioner by Resolution.

01/29/13; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/1/2013.

130084 [Planning Code, Zoning Map - Establishing Outer Mission Street Neighborhood Commercial District]

Sponsor: Avalos

Ordinance amending the Planning Code, by adding a new section, to establish the Outer Mission Street Neighborhood Commercial District along Mission Street between Alemany Boulevard and the San Francisco-San Mateo County line; repealing the Excelsior Alcohol Restricted Use District and adding controls on liquor establishments to the new Neighborhood Commercial District; amending various sections to make conforming and other technical changes; amending the Zoning Map to rezone specified properties to the new Neighborhood Commercial District; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the Priority Policies of Planning Code, Section 101.1.

01/29/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/1/2013.

130085 [Administrative Code - Establishing San Francisco City Hall Preservation Fund]

Sponsor: Farrell

Ordinance amending the Administrative Code, by adding Section 10.100-289, to establish a San Francisco City Hall Preservation Fund to receive donations and to authorize expenditures for the purpose of promoting the 100th anniversary of San Francisco City Hall, including promotional events, community outreach activities, preservation, maintenance, repair, improvements, and similar post-anniversary endeavors.

01/29/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/1/2013.

Resolutions

130043 [Resolution to Establish - Moscone Expansion Business Improvement District]
Sponsors: Mayor; Kim and Chu
Resolution of formation to establish a business-based business improvement district to be known as the "Moscone Expansion District;" levying assessments against defined hotel businesses located in that district for 32 years; providing for the determination, imposition, collection, and enforcement of the assessments; and making environmental findings.
(Economic Impact)

12/28/12; RESPONSE RECEIVED.

01/15/13; ASSIGNED to Board of Supervisors.

01/29/13; SUBSTITUTED AND ASSIGNED to Board of Supervisors.

130088 [Accept and Expend Grant - Improving Early Learning and Development Programs for Young Children - $1,269,400]
Sponsor: Mayor
Resolution authorizing the Children and Families Commission to retroactively accept and expend a grant in the amount of $1,269,400 from the United States Department of Education through the California Department of Education to support an Early Learning Quality Improvement System for the period of July 1, 2012, through December 31, 2015.
(Fiscal Impact)

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130089 [Supporting Local Government Greenhouse Gas Reduction Efforts]
Sponsors: Chiu; Mar and Campos
Resolution supporting the distribution of carbon cap-and-trade auction and Clean Energy Jobs Act revenues to local governments for support of greenhouse gas reduction programs.

01/29/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130090 [One Billion Rising Day - February 14, 2013]
Sponsors: Chiu; Mar and Campos
Resolution declaring February 14, 2013, as One Billion Rising Day in the City and County of San Francisco and joining the global call to action opposing violence against women.

01/29/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130091 [Accept and Expend Grant - Anti-Human Trafficking Task Force Program - $200,000]
Sponsor: Chu
Resolution authorizing the Police Department to retroactively accept and expend a grant in the amount of $200,000 from the California Emergency Management Agency for the Anti-Human Trafficking Task Force Program for the period of October 1, 2012, through September 30, 2013.

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130092 [Celebrating Rosa Parks' 100th Birthday - Rosa Parks Day - February 4, 2013]
Sponsors: Cohen; Breed and Campos
Resolution celebrating the 100th Birthday of Rosa Parks and commemorating the Modern Civil Rights Leader for her courage and declaring February 4, 2013, Rosa Parks Day in the City and County of San Francisco.

01/29/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130093 [Approval of a 60 Day Extension for Planning Code - Polk Street Alcohol and Tobacco Paraphernalia Restrictions (File No. 121065)]
Sponsor: Chiu
Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 121065) amending the Planning Code, Section 723, to extend the restriction on Tobacco Paraphernalia Establishments in the Polk Street Neighborhood Commercial District (NCD) for an additional three years and apply it to an area within one-quarter mile of the boundaries of the NCD; adding Section 788, to establish the Lower Polk Street Alcohol Restricted Use District for the properties located on Polk Street between California and O'Farrell Streets, and Polk Street's side streets between California Street, Larkin Street, O'Farrell Street, and Van Ness Avenue; amending the Zoning Map, Map Sheet ZN-02, to designate the Lower Polk Street Alcohol Restricted Use District; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.

01/29/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130094 [Agreement - Supplemental Law Enforcement Services to Housing Authority - FY2011-2012 - $1,000,000]
Sponsors: Cohen; Campos
Resolution retroactively approving the agreement between the Police Department and the Housing Authority for the Police Department to provide Supplemental Law Enforcement Services at designated Housing Authority developments and for the Housing Authority to pay the City $1,000,000 in FY2011-2012 for those Supplemental Law Enforcement Services.
(Fiscal Impact)

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130095 [Agreement - Supplemental Law Enforcement Services to Housing Authority - FYs 2012-2013 and 2013-2014 - $1,115,000 and $1,300,000]
Sponsors: Cohen; Campos
Resolution retroactively approving the agreement between the Police Department and the Housing Authority for the Police Department to provide Supplemental Law Enforcement Services at designated Housing Authority developments and for the Housing Authority to pay the City $1,115,000 in FY2012-2013 and $1,300,000 in FY2013-2014 for those Supplemental Law Enforcement Services.

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130096 **[Financial Aid Awareness Week - February 4-10, 2013]**
Sponsors: Campos; Avalos, Breed, Chu, Farrell, Kim, Mar and Wiener
Resolution declaring February 4, 2013, through February 10, 2013, Financial Aid Awareness Week in the City and County of San Francisco.

01/29/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130098 **[Accept and Expend Grant - Sloat Boulevard Pedestrian Safety Improvements Project - $797,000]**
Sponsor: Yee
Resolution authorizing the Department of Public Works to retroactively accept and expend a Federal grant in the amount of $797,000 from the Federal Highway Administration for the Sloat Boulevard Pedestrian Safety Improvements Project for a period of January 2013 through December 2016.

01/29/13; RECEIVED AND ASSIGNED to Public Safety Committee.

130109 **[Supporting Constitutional Amendment to Limit Campaign Spending and End Artificial Corporate Rights in Response to the Passage of Measure G in November 2012]**
Sponsors: Avalos; Chiu and Campos
Resolution responding to the passage of Measure G by San Francisco voters on November 6, 2012, by urging members of San Francisco's Congressional delegation to pass a constitutional amendment to limit campaign contributions and spending and end artificial corporate rights.

01/29/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

130099 **[Hearing - Illegal Manipulation of the London Inter-Bank Offered Rate on San Francisco's Finances]**
Sponsors: Avalos; Campos
Hearing to review the impact of illegal manipulation of the London Inter-Bank Offered Rate on San Francisco's finances; to explore options to recover any losses; and to review any interest rate swaps or other financial instruments the City is engaged in that may have excessive interest rates or fees that should be renegotiated.

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130100 **[Hearing - Controller's Office Park Maintenance Report - FY2011-2012]**
Sponsors: Chu; Campos
Hearing to review the Controller's Office Park Maintenance Report for FY2011-2012 and status of parks throughout the City.

01/29/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

130101 [Hearing - Municipal Transportation Agency and the Office of Housing, Opportunity, Partnerships, and Engagement - Outreach Efforts]
Sponsor: Chu
Hearing an update from the Municipal Transportation Agency and the Office of Housing, Opportunity, Partnerships, and Engagement on outreach efforts for the large vehicle restriction Ordinance.

01/29/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

130102 [Hearing - Citizen's General Obligation Bond Oversight Committee Annual Report]
Sponsor: Chu
Hearing to review the Citizen's General Obligation Bond Oversight Committee's most recent annual report, as required by the City's Administrative Code.

01/29/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

130103 [Hearing - Controller's Office Street and Sidewalk Maintenance Standards Annual Report - FY2011-2012]
Sponsor: Chu
Hearing to review the Controller's Office Street and Sidewalk Maintenance Standards Annual Report for FY2011-2012 and any other updates.

01/29/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

130104 [Hearing - State of HIV Services - FY2013-2014 Budget]
Sponsors: Wiener; Campos
Hearing on the state of HIV services in the upcoming FY2013-2014 Budget, where the Department of Public Health, the Mayor's Budget Office, the Controller, and community organizations will report on what Federal and State cuts HIV services will experience; what the impacts of these cuts will be; and how the City can respond in making up for the cuts on a local level.

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130105 [Hearing - City's Policy of Comparable Worth and Historic Efforts to Eliminate Pay Inequities]
Sponsors: Avalos; Campos and Mar
Hearing to review the City's policy of comparable worth and historic efforts to eliminate pay inequities based on race and gender, including how current practices of Department of Human Resources measure up to the comparable worth standard as defined in 1986's Proposition H.

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130106 [Hearing - Bike Thefts]
Sponsors: Mar; Breed, Chiu and Campos
Hearing on best practices for preventing bike thefts in the City and County of San Francisco and improving recovery rates.

01/29/13; RECEIVED AND ASSIGNED to Public Safety Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130034 [Settlement of Lawsuit - Mary Bull - $465,000]

Ordinance authorizing settlement of a lawsuit filed by Mary Bull, Lisa Giampaoli, Alexis Bronson, Micky Mangosing, Leigh Fleming, Laura Timbrook, J. Quechan Allen, Diana Smith, Michele De Ranleau, Michael Marron, Steve Noh, Sister Bernie Galvin, and Brian Vowell against the City and County of San Francisco for an amount not to exceed $465,000; the lawsuit was filed on April 23, 2003, in United States District Court, Northern District of California, Case No. C03-1840 (CRB); entitled Mary Bull et al. v. City and County of San Francisco. (City Attorney)

01/10/13; RECEIVED FROM DEPARTMENT.

01/29/13; RECEIVED AND ASSIGNED to Rules Committee.

130062 [Planning, Administrative Codes, Zoning Map - Miscellaneous Technical Amendments, Fee Changes, Clarifications, and Corrections]

Sponsor: Tang

Ordinance amending the Planning and Administrative Codes, to correct errors, and make language revisions and updates; revise graphics to be consistent with text; amend fees to be charged for certain kinds of applications and appeals; clarify the meaning of certain Planning Code sections; and adopt findings, including findings under the California Environmental Quality Act and Planning Code, Section 302, and findings of consistency with the General Plan and Planning Code, Section 101.1.

01/17/13; RECEIVED FROM DEPARTMENT.

01/29/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/28/2013.

PROPOSED RESOLUTIONS

130057 [Lease Termination Agreement - Ellis-O'Farrell Parking Corporation - 123 O'Farrell Street - January 31, 2013]

Resolution authorizing the termination of the lease agreement with the Ellis-O'Farrell Parking Corporation and authorizing the Director of Transportation to execute a Lease Termination Agreement for property located at 123 O'Farrell Street, terminating on January 31, 2013. (Municipal Transportation Agency)

01/17/13; RECEIVED FROM DEPARTMENT.

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130063 [Street Artist Spaces - Post Street at Stockton Street]
Resolution approving re-designation, for six months, two temporary selling spaces on Post Street, northwest corner, at Stockton Street, for street artists certified by the Arts Commission. (Arts Commission)

01/15/13; RECEIVED FROM DEPARTMENT.

01/29/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130064 [Street Artist Space - Leavenworth Street at Jefferson Street]
Resolution approving re-designation of one selling space on Leavenworth Street, west side, at Jefferson Street, for six months, for street artists certified by the Arts Commission; exempting said space from the regulations of Police Code, Section 2405(c)(6) and (11), prohibiting selling within ten feet from the outer edge of any entrance to any building and prohibiting selling within five feet from the display of any other street artist. (Arts Commission)

01/16/13; RECEIVED FROM DEPARTMENT.

01/29/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

In Memoriam

Jonathan H. Beaver - Supervisor Campos
Lucille Chin - President Chiu
Kerri Stolz - Supervisor Kim
Marlene Jones - Supervisor Kim
Daniel Colon - Supervisor Avalos

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:36 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 5, 2013.

Angela Calvillo, Clerk of the Board

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: There was public comment from James Chaffee, Ray Hartz and Peter Warfield regarding various aspects of the Branch Libraries Improvement Project and Friends of the Library. Their reference materials are addendums to the minutes and will be posted on the GGOBOC web site. There was also a significant exchange between Committee members and Library staff regarding this issue, as well, with particular inquiry and concern over how the Library presented financials suggesting that monies spent by the Friends were included in the program totals. There were legitimate questions as to whether the City ever actually controlled these funds; the answer appears to be "no", which was not clear from the documents. The Committee gave direction to staff that the documents should be revised and provided to the Committee and public again. Going forward, more rigorous accounting standards should be used in presenting City financials.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

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Tuesday, February 5, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 1:00 PM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Government Audit and Oversight Committee Supervisors Chu, Cohen, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Public Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Carmen Chu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

121194 [Administrative Code - Water Enterprise Capital Cost Recovery Payment Surcharge Fund]
Sponsors: Mayor; Chu
Ordinance amending the Administrative Code, Chapter 10, Article XIII, to create the Public Utilities Water Enterprise Capital Cost Recovery Payment Surcharge Fund.
(Fiscal Impact)

Ordinance No. 018-13

FINALLY PASSED

121195 [Appropriating $2,566,145 of General Fund Reserve to the Treasurer/Tax Collector - FY2012-2013]
Sponsors: Mayor; Chiu, Farrell and Avalos
Ordinance appropriating $2,566,145 from the General Fund Reserve to the Treasurer/Tax Collector for Gross Receipts Tax Implementation Planning for FY2012-2013.

Ordinance No. 019-13

FINALLY PASSED

121197 [Public Employment - Amending the Annual Salary Ordinance for Implementation of Proposition E and the Gross Receipts Tax]
Sponsors: Mayor; Chiu, Farrell and Avalos
Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect the addition of 5 positions (2.2 FTE) in the Office of the Treasurer/Tax Collector for the implementation of Proposition E and the Gross Receipts Tax.

Ordinance No. 020-13

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

120959 [Building Code - Fees and Permit Extensions]
Ordinance amending the Building Code, Sections 106A.3.7, 106A.3.8.1, 106A.4.1, and 106A.4.4, to address permit expirations and extensions and Tables 1A-A, 1A-G, 1A-J, 1A-K, and 1A-L, of Section 110A, to modify various fees; and making environmental findings. (Building Inspection Department)

Ordinance No. 016-13

FINALLY PASSED

Recommendations of the Rules Committee

121190 [Settlement of Lawsuit - Bryan Vestal - $420,000]
Ordinance authorizing settlement of the lawsuit filed by Bryan Vestal against the City and County of San Francisco for $420,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507921; entitled Bryan Vestal v. City and County of San Francisco, et al.; another material term of said settlement is the waiver of the San Francisco General Hospital medical lien in the amount of $110,098.30. (City Attorney)

Ordinance No. 017-13

FINALLY PASSED

121226 [Settlement of Lawsuit - Sandra Ramos - $60,000]
Ordinance authorizing settlement of the lawsuit filed by Sandra Ramos against the City and County of San Francisco for $60,000; the lawsuit was filed on October 12, 2011, in the United States District Court for the Northern District of California, Case No. C-11-5033 WHA, entitled Sandra Ramos v. City and County of San Francisco; other material terms of said settlement are reimbursement to Plaintiff of up to $2,500 for services of an organizational consultant. (City Attorney)

Ordinance No. 021-13

FINALLY PASSED

121227 [Settlement of Lawsuit - Health Net - City to Receive $800,000 and Future Payments]

Ordinance authorizing settlement of the lawsuit filed by the San Francisco City Attorney's Office, acting on behalf of the People of the State of California, against (among other Defendants) Health Net of California, Inc., for the payment by Health Net of $800,000 for under reimbursing San Francisco General Hospital for emergency medical care provided to Health Net's insureds prior to January 1, 2012, and for the payment of an additional amount, to be determined, for such claims rising between January 1, 2012, and June 30, 2014; the lawsuit was filed on May 24, 2011, in the San Francisco Superior Court, Case No. 11-511181; entitled People of the State of California v. Health Net, et al.; other material terms of said settlement are that Health Net and San Francisco will enter into a prompt payment agreement under which Health Net agrees to pay San Francisco General Hospital certain specified rates for treatment provided to its insureds for emergency medical services rendered from January 1, 2012, through at least June 30, 2014. (City Attorney)

Ordinance No. 022-13

FINALLY PASSED

121228 [Settlement of Lawsuit - Brendan Cadam - $42,500]

Ordinance authorizing settlement of the lawsuit filed by Brendan Cadam against the City and County of San Francisco for $42,500; the lawsuit was filed on July 3, 2012, in San Francisco Superior Court, Case No. CGC-12-522047; entitled Brendan Cadam, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 023-13

FINALLY PASSED

121229 [Settlement of Lawsuit - Maya Vlanin - $95,000]

Ordinance authorizing settlement of the lawsuit filed by Maya Vlanin against the City and County of San Francisco for $95,000; the lawsuit was filed on June 29, 2010, in San Francisco Superior Court, Case No. CGC-10-501138; entitled Maya Vlanin v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 024-13

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130015 [Appropriating $507,880,000 of Certificate of Participation Proceeds - Moscone Center Expansion Project - FY2012-2013]
Sponsors: Mayor; Kim and Chu
Ordinance appropriating $507,880,000 of Certificate of Participation (COPs) proceeds to fund the Moscone Center Expansion Project in the General Services Agency, Office of the City Administrator, for FY2012-2013 and placing these funds on Controller's reserve pending issuance of the COPs or associated commercial paper used for cash flow purposes in FY2012-2013. (Economic Impact)

Supervisor Chu requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130016 [Authorizing Certificates of Participation and Assessment Notes - Moscone Expansion Project - Not to Exceed $507,880,000]

Sponsors: Mayor; Kim

Ordinance authorizing the execution and delivery of Certificates of Participation evidencing and representing an aggregate principal amount of not to exceed $507,880,000 to finance the costs of additions and improvements to the George R. Moscone Convention Center; approving the form of Trust Agreement between the City and County of San Francisco and the Trustee (including certain indemnities contained therein); authorizing the selection of the Trustee by the Director of Public Finance; approving respective forms of a Property Lease and a Project Lease, each between the City and the Trustee for the lease and lease back of all or a portion of the Moscone Center, including the Moscone Expansion Project, to be constructed thereon; authorizing the execution and delivery of Assessment Notes payable from Moscone Expansion District assessments to further secure principal, premium, if any, and interest evidenced and represented by the Certificates; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of the Certificates and the Assessment Notes; approving modifications to documents and agreements; and ratifying previous actions taken in connection therewith.

Supervisor Kim, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED on Page 3, Lines 10-13, by adding 'WHEREAS The City will undertake environmental review of the Moscone Expansion project as project components are better defined and will work with all interested parties, City staff, experts and the public to develop a thorough environmental analysis that will inform the design, development and operation of the Moscone Expansion Project; and'; on Page 12, Lines 3-15, by adding 'Section 18. CEQA Findings. Approval of this Ordinance by the Board shall not be construed as approval of the Moscone Expansion Project. The City will conduct environmental review of the proposed Moscone Expansion Project, following further design development and study, under any approvals or facilities for the Moscone Expansion Project, or grants any entitlements to the Trustee. The City retains absolute discretion to: (1) modify the Moscone Expansion Project to mitigate significant adverse environmental impacts, (2) select feasible alternatives which avoid significant adverse impacts of the Moscone Expansion Project, (3) require the implementation of specific measures to mitigate the significant adverse environmental impacts of the Moscone Expansion Project, (4) reject the Moscone Expansion Project as proposed if the economic and social benefits of the Project do not outweigh otherwise unavoidable significant adverse impacts of the project, or (5) approve the Moscone Expansion Project upon a finding that the economic and social benefits of the Moscone Expansion Project outweigh otherwise unavoidable significant adverse impacts.'; Line 16, by changing '18' to '19'; on Page 13, Line 4, by changing '19' to '20'; Line 12, by changing '20' to '21'; Line 15, by changing '21' to '22'; and Line 16, by changing '22' to '23'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Chu requested to be added as a co-sponsor.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121201 [Finding of Fiscal Feasibility - Moscone Center Expansion Project]
Sponsors: Mayor; Chu
Resolution finding that a project proposed by the City to expand and renovate the North and South exhibit halls of the Moscone Convention Center, including reconfiguring the North and South exhibit halls to create additional contiguous exhibit space, a new ballroom, new loading and building service space, and improvements to the landscaping, urban design, and public realm, within and adjacent to the North and South exhibit halls, is fiscally feasible and responsible under Administrative Code, Chapter 29.
(Fiscal Impact)

Supervisor Chu requested to be added as a co-sponsor.

Resolution No. 023-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130024 [Accept and Expend Grant - Hepatitis B Early Identification and Linkage to Care for Foreign-Born Persons with Hepatitis B - $300,000]
Sponsors: Wiener; Campos
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $300,000 from Centers for Disease Control and Prevention to participate in a program entitled "Hepatitis B Early Identification and Linkage to Care for Foreign-Born Persons with Hepatitis B in San Francisco" for the period of September 30, 2012, through September 29, 2013.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 024-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130025 [Accept and Expend Grant - Active, Enhanced Surveillance for Viral Hepatitis - $519,945]
Sponsors: Wiener; Campos
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $519,945 from Centers for Disease Control and Prevention to participate in a program entitled "Active, Enhanced Surveillance for Viral Hepatitis in San Francisco, California" for the period of November 1, 2012, through October 31, 2013.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 025-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130045 [Accept and Expend Grant - Randall Museum Renovation - $5,477,193]
Sponsor: Wiener
Resolution authorizing the Recreation and Park Department to retroactively accept and expend a Nature Education Facilities Grant from the California State Department of Parks and Recreation in the amount of $5,477,193 for the Randall Museum Renovation, for the period of July 1, 2009, through June 30, 2017.

Resolution No. 027-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130047 [Accept In-Kind Gift - Randall Museum Project Management Services - $130,000]
Sponsors: Wiener; Campos
Resolution authorizing the Recreation and Park Department to retroactively accept an in-kind gift of project management services valued at $130,000 from the Randall Museum Friends for the Randall Museum Renovation Project, for the period of October 24, 2012, through June 30, 2017.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 028-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee

121200 [Administrative Code - Contractor Prompt Payment for Public Works Construction and Professional Services Contracts]
Sponsors: Chu; Chiu, Campos and Cohen
Ordinance amending the Administrative Code, by adding Sections 6.22(Q) and 6.42(F), to require all public works contractors to pay subcontractors within seven days of receipt of payment from the City.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121207 [Performance Audit - San Francisco Housing Authority]
Sponsors: Campos; Avalos, Kim and Mar
Motion directing the Budget and Legislative Analyst to conduct a performance audit of the San Francisco Housing Authority as a priority.

Motion No. M13-023

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Yee, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to the San Francisco Unified School District Early Education Department in recognition of their accomplishments and on the occasion of their 70th Anniversary.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

121231 [Public Hearing - Establishing the Moscone Expansion Business Improvement District]

Hearing of persons interested in or objecting to the proposed Resolution to establish a business-based business improvement district to be known as the "Moscone Expansion District;" levying assessments against defined hotel businesses located in that district for 32 years; providing for the determination, imposition, collection, and enforcement of the assessments; and making environmental findings. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 130043. Supervisors Kim and Farrell made some opening remarks relating to the proposed Moscone Expansion District. Lisa Pagan (Mayor's Office of Economic and Workforce Development) provided an overview of the proposed Moscone Expansion District and levying of assessments. Larry Edmund; Jon Ballesteros; Kevin Carroll; Charley Lavery; Dave Truhaden; Randy Bryson; Ignacio Bastillo; spoke in support of the proposed business-based business improvement district. There were no speakers in opposition to the proposed business-based business improvement district. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

130043 [Resolution to Establish - Moscone Expansion Business Improvement District]
Sponsors: Mayor; Kim and Chu

Resolution of formation to establish a business-based business improvement district to be known as the "Moscone Expansion District;" levying assessments against defined hotel businesses located in that district for 32 years; providing for the determination, imposition, collection, and enforcement of the assessments; and making environmental findings.
(Economic Impact)

Supervisor Chu requested to be added as a co-sponsor.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that in relation to a majority protest for the Moscone Expansion District the total proposed Assessments in the Moscone Expansion District for year one is $18,140,651.77. The total weighted votes on whether to form the Moscone Expansion District and levy the assessments were as follows: Yes: $14,361,568.18 or 79.2% of the total proposed assessments; No: $537,352.38 or 3% of total proposed assessments. There is not a majority protest. In relation to the majority participation for the Moscone Expansion District, the total weighted ballots cast combined were as follows: $14,898,920.56 or 82.1% of total proposed assessments in the District representing 50% or more of the total proposed assessments. There is majority participation. In relation to the two-thirds support to form the Moscone Expansion District and levy the assesments, the total weighted votes were as follows: Yes: $14,361,568.18 or 96.4% of the total proposed assessments; No: $537,352.38 or 3.6% of total proposed assessments. There is at least two-thirds support. Ms. Calvillo concluded by indicating that the results of the ballot vote satisfy the required criteria for the Board to proceed and consider whether to establish the Moscone Expansion District and levy the assessments.

Resolution No. 026-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
Male Speaker; spoke relating to high crime communities and Black History Month.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to open government. (See additional information submitted on Page 14.)
Peter Warfield; expressed concerns relating to the SF Public Library and open government.
Bob Cohen; shared in poem certain concerns with the Board.
Walter Paulson; shared in song certain concerns with the Board.
Douglas Yep; expressed various concerns.
Francisco Da Costa; expressed concerns relating to investments and infrastructure.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130089 [Supporting Local Government Greenhouse Gas Reduction Efforts]
Sponsors: Chiu; Mar and Campos
Resolution supporting the distribution of carbon cap-and-trade auction and Clean Energy Jobs Act revenues to local governments for support of greenhouse gas reduction programs.

Supervisors Mar and Campos requested to be added as a co-sponsor.

Resolution No. 030-13

ADOPTED

130090 [One Billion Rising Day - February 14, 2013]
Sponsors: Chiu; Mar and Campos
Resolution declaring February 14, 2013, as One Billion Rising Day in the City and County of San Francisco and joining the global call to action opposing violence against women.

Supervisors Mar and Campos requested to be added as a co-sponsor.

Resolution No. 031-13

ADOPTED

130092 [Celebrating Rosa Parks' 100th Birthday - Rosa Parks Day - February 4, 2013]
Sponsors: Cohen; Breed and Campos
Resolution celebrating the 100th Birthday of Rosa Parks and commemorating the Modern Civil Rights Leader for her courage and declaring February 4, 2013, Rosa Parks Day in the City and County of San Francisco.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 032-13

ADOPTED

130093 [Approval of a 60 Day Extension for Planning Code - Polk Street Alcohol and Tobacco Paraphernalia Restrictions (File No. 121065)]
Sponsor: Chiu
Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 121065) amending the Planning Code, Section 723, to extend the restriction on Tobacco Paraphernalia Establishments in the Polk Street Neighborhood Commercial District (NCD) for an additional three years and apply it to an area within one-quarter mile of the boundaries of the NCD; adding Section 788, to establish the Lower Polk Street Alcohol Restricted Use District for the properties located on Polk Street between California and O'Farrell Streets, and Polk Street's side streets between California Street, Larkin Street, O'Farrell Street, and Van Ness Avenue; amending the Zoning Map, Map Sheet ZN-02, to designate the Lower Polk Street Alcohol Restricted Use District; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.

Resolution No. 029-13

ADOPTED

130096 [Financial Aid Awareness Week - February 4-10, 2013]
Sponsors: Campos; Avalos, Breed, Chu, Farrell, Kim, Mar and Wiener
Resolution declaring February 4, 2013, through February 10, 2013, Financial Aid Awareness Week in the City and County of San Francisco.

Resolution No. 033-13

ADOPTED

130109 [Supporting Constitutional Amendment to Limit Campaign Spending and End Artificial Corporate Rights in Response to the Passage of Measure G in November 2012]
Sponsors: Avalos; Chiu and Campos
Resolution responding to the passage of Measure G by San Francisco voters on November 6, 2012, by urging members of San Francisco's Congressional delegation to pass a constitutional amendment to limit campaign contributions and spending and end artificial corporate rights.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 034-13

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mar, seconded by Supervisor Kim, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mar, seconded by Supervisor Kim, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130116 [SFUSD Early Education Day - February 9, 2013]
Sponsors: Mar; Yee
Resolution commending the 70th anniversary of the San Francisco Unified School District (SFUSD) Early Education Department and declaring February 9, 2013, as SFUSD Early Education Department Day in the City and County of San Francisco.

Supervisor Yee requested to be added as a co-sponsor.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130116. There were no speakers. The President declared public comment closed.

Resolution No. 035-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

130086 [Administrative Code - Dissolving Neighborhood Community Justice Task Force]
Sponsor: Chiu
Ordinance amending the Administrative Code, by repealing Article VIII, to dissolve the Neighborhood Community Justice Task Force.

02/05/13; RECEIVED AND ASSIGNED to Rules Committee.

130087 [Administrative Code - Dissolving Energy Efficiency Steering Committee]
Ordinance amending the Administrative Code, by repealing Article IX, to dissolve the Energy Efficiency Steering Committee. (Clerk of the Board)

02/05/13; RECEIVED AND ASSIGNED to Rules Committee.

130117 [Appropriating $2,774,224 of Fee Revenue for the Planning Department - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $3,194,677 of fee revenue for the Planning Department in FY2012-2013 to reduce the backlog of planning cases and building permits requiring review, and funding the Permit and Project Tracking System, and Central Corridor Environmental Impact Report, including $2,092,677 to fund staff positions, $807,000 to fund office space reconfiguration, records and information technology improvements, and updated guidelines and procedures, $45,000 to fund training and configuration needs of the Permit and Project Tracking System, and $250,000 to fund the Central Corridor Environmental Impact Report.
(Fiscal Impact)

02/05/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/7/2013.

130118 [Public Employment - Amendment to the Annual Salary Ordinance for Planning Department - FY2012-2013]

Sponsor: Mayor

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FY2012-2013) to reflect the addition of 10 positions (10.00 FTEs) Class 1404 (Clerk), 5277 (Planner I), 5278 (Planner II), 5291 (Planner III), and 5298 (Planner III - Environmental Review) in the Planning Department to focus on reducing the backlog of planning cases and building permits requiring review.

02/05/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/7/2013.

130119 [Building Code - Mandatory Seismic Retrofit Program - Wood-Frame Buildings; Optional Evaluation Form Fee]

Sponsors: Mayor; Chiu, Wiener, Yee, Farrell, Breed, Mar and Tang

Ordinance amending the Building Code, to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings, and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

02/05/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/7/2013.

Resolutions

130097 [Dissolving Area Plan Infrastructure Finance Committee]

Resolution repealing Resolution No. 432-10 to dissolve the Area Plan Infrastructure Finance Committee. (Clerk of the Board)

02/05/13; RECEIVED AND ASSIGNED to Rules Committee.

130120 [Accept and Expend Grant - Streetscape and Circulation Improvements - Folsom and Howard Streets - $200,000]
Sponsor: Mayor
Resolution authorizing the Planning Department to retroactively accept and expend a grant in the amount of $200,000 from the Metropolitan Transportation Commission for the inclusion of streetscape and circulation improvements on Folsom and Howard Streets between Second and Fifth Streets in the Central Corridor Draft Plan environmental analysis for the period of February 8, 2012, through July 31, 2014.
(Fiscal Impact)

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130121 [Lease - Los Altos Hotel Associates, LLC - Hotel Parking and Recreation Purposes - $52,324 Annually Plus Adjustments]
Sponsor: Mayor
Resolution authorizing the General Manager of the Public Utilities Commission to execute a 20 year lease, for $52,324 annually with an annual increase of four percent, with Los Altos Hotel Associates, LLC, for approximately 47,916 square feet of land known as Bay Division Pipelines 3 and 4, Parcel No. 232A, located in the City of Los Altos, Santa Clara County, California, for hotel parking and recreation purposes.

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130122 [Accept and Expend Grant - Boeddeker and Promontory Parks Projects - $776,500]
Sponsors: Mayor; Cohen and Kim
Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant in the amount of $776,500 from the California Department of Housing and Community Development for the Recreation and Park Department's Boeddeker Park Project ($450,000) and the Mayor's Office of Housing Promontory Park Project ($326,500) for the period of November 28, 2012, through June 30, 2016.

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130123 [Urging the Retirement Board to Divest from Fossil Fuel Companies]
Sponsors: Avalos; Mar and Breed
Resolution urging the Retirement Board of the Employees' Retirement System to divest from publicly traded fossil fuel companies.

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130124 [Correcting the Accept and Expend Grant Amount in Resolution No. 384-12 - Compensation for Crime Victims - $2,142,414]
Sponsor: Avalos
Resolution correcting the not to exceed amount in Resolution No. 384-12, a resolution retroactively authorizing the Office of the District Attorney to accept a grant from the California Victim Compensation and Government Claims Board for a project entitled "Joint Powers Agreement," from $714,138 to $2,142,414 for the period of July 1, 2012, through June 30, 2015.

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130125 [Urging the Retirement Board to Divest from Firearm and Ammunition Manufacturers]
Sponsors: Avalos; Mar, Campos, Yee, Breed and Chiu
Resolution urging the Retirement Board of the Employees' Retirement System to divest from publicly traded firearm and ammunition manufacturers.

02/05/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

130126 [Hearing - Budget Updates]
Sponsor: Farrell
Hearing on the budget updates from the Mayor, Controller, Budget and Legislative Analyst, and City Departments, including balance, shortfalls, strengths, and additional revenues.

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130127 [Hearing - Storm Preparedness and Responsiveness]
Sponsor: Mar
Hearing on the City's storm preparedness and responsiveness.

02/05/13; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

130128 [Hearing - Street Furniture Clutter]
Sponsor: Wiener
Hearing to review the efforts and strategies of the Department of Public Works, Municipal Transportation Agency, and Planning Department to reduce clutter on sidewalks, specifically focused on news racks, large kiosks, and Muni bus shelters, including improving pedestrian access, and ensuring that City contractors install and maintain these structures in a manner that respects the needs of neighborhoods.

02/05/13; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

130130 [Hearing - Annual Approval of the Board of Supervisors Budget - FY2013-2014 and FY2014-2015]
Hearing to consider and approve the proposed Board of Supervisors Budget for FY2013-2014 and FY2014-2015. (Clerk of the Board)

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

130070 [Planning Code - Duboce Park Historic District]
Sponsor: Wiener
Ordinance amending the Planning Code, by adding a new Appendix N to Article 10, Preservation of Historical, Architectural, and Aesthetic Landmarks, to create the Duboce Park Historic District; and making findings, including environmental findings, and findings of consistency with the General Plan, and Planning Code, Section 101.1(b).

01/18/13; RECEIVED FROM DEPARTMENT.

02/05/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/7/2013.

PROPOSED RESOLUTIONS

121225 [Contract Amendment - Xtech - $90,580,000]
Resolution authorizing the Office of Contract Administration to enter into the Seventh Amendment between the City and Xtech (part of the Technology Store procurement vehicle) in which the amendment shall increase the contract amount from $60,490,000 to $90,580,000 for the period of January 1, 2009, through December 31, 2013. (Office of Contract Administration)
(Fiscal Impact)

12/21/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

01/28/13; RECEIVED FROM DEPARTMENT.

02/05/13; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

130056 [California Environmental Quality Act Findings - Calaveras Dam Replacement Project]
Resolution adopting findings under the California Environmental Quality Act related to modifications to the San Francisco Public Utilities Commission Water System Improvement Program Calaveras Dam Replacement Project, located in Alameda and Santa Clara Counties, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

01/28/13; RECEIVED FROM DEPARTMENT.

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request Granted

From: Supervisor Farrell
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Requesting the Municipal Transportation Agency to report on the condition of the MUNI transit vehicles and the steps being taken to ensure safety for riders while in transit.

Supervisor Farrell's office has recently been confronted with constituent concerns relating to the conditions of the SFMTA MUNI fleet. As public transportation is an integral part of the San Francisco community, the Supervisor requests that the SFMTA report back regarding the overall condition of San Francisco's transit vehicles.

One of the concerns is a lack of nylon holding straps and rails on MUNI transit vehicles, making it difficult to hold on during transit, thus, increasing the risk of injury. While this is merely an example of a current safety concern, simple issues such as this are especially problematic for seniors and disabled individuals. What steps are being taken by the SFMTA to ensure the safety of seniors, disabled individuals, and the general public while the riders are in transit? What procedures are in place to replace nylon straps on the MUNI transit vehicles when they deteriorate, or fall off completely? Additionally, is there a project timeline in place where constituents can expect these repairs to be made? Are there any other impending safety changes on MUNI expected?

Furthermore, please describe MUNI's process of repair? How long does it typically take to remedy safety concerns and what is the general procedure involved? The goal is to ensure that those riding MUNI, particularly seniors and disabled individuals, have the ability to benefit from San Francisco's public transit without jeopardizing their safety.

In Memoriams

Dr. Arlene Ackerman - Full Board
Norman John Borchman - Supervisor Yee

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:46 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

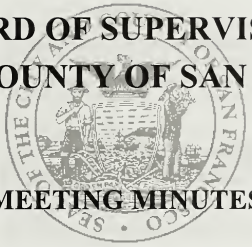
Approved by the Board of Supervisors on March 12, 2013.

Angela Calvillo, Clerk of the Board

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors. Ray Hartz submitted the following additional information during Public Comment as follows: This Board of Supervisors attitude toward public participation in government is such that I have no problem whatsoever in labeling it "openly Hostile!" Look at the scheduling of public comment. In January, at one meeting, it took four hours for the public to get a chance to speak. At a second meeting, in the same month, public comment came after one hour. So, members of the public who wish to speak to you have to make a minimum half day commitment. People should also notice that you place public comment after commendations. We wouldn't want all those "nice people" to be here while "dissenting opinions" are expressed. And then there are those restrictions you place on constitutionally protected free speech! At no time in the handling of any matter do members of the public get to speak meaningfully to this full BOS regarding any matter before you take final action.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT
APR - 7 2015
SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, February 12, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 1:00 PM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Government Audit and Oversight Committee Supervisors Chu, Cohen, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Public Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Carmen Chu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:10 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Kim, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of January 8, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

130129 [Formal Policy Discussions - February 12, 2013]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 1, 3, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. The Municipal Transportation Agency recently released its Draft Bicycle Strategy, which lays out an aggressive plan to upgrade San Francisco's bicycle facilities. It supports biking for everyone, including seniors, families, and persons with disabilities. However, I am hearing growing concerns both in my district and city-wide about the mismatch between verbal commitments to better bicycling and budget realities. Currently, bicycle projects account for just 0.46% of all MTA capital. This is not enough to get us to the goals laid out in the Bicycle Strategy.

How will you fund the Bicycle Strategy to make San Francisco a national leader in bicycling safety and use? (Supervisor Mar, District 1)

2. Mr. Mayor, the Board of Supervisors is considering legislation to allow existing owners of Tenancies in Common (TICs) to bypass the condominium conversion lottery and be converted after the payment of a fee. I recently asked supporters of the legislation and tenant advocates to engage in negotiations, which Supervisor Farrell and I are hosting.

What is your position on this pending legislation? What protections would you support to prevent the loss of rent-controlled housing in our increasingly unaffordable city? How would you address the concern that if we allow the current generation of TIC owners to convert, we will replace them with a new generation of TIC owners and additional real estate investments that will lead us right back to an identical debate within a short time? (Supervisor Chiu, District 3)

3. Last Sunday, at his Inaugural Address, San Francisco's Poet Laureate Alejandro Murguía encouraged the residents of San Francisco, including elected officials, to include more poetry in their lives. In that spirit, I shall submit my question in the form of a haiku. Your response does not necessarily need to follow the same format:

Murguía's address
Citing arts deprivation
Springing forth new funding?

In simple prose - will we see a renewed financial commitment to the arts in your City budget? (Supervisor Avalos, District 11)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

130015 [Appropriating $507,880,000 of Certificate of Participation Proceeds - Moscone Center Expansion Project - FY2012-2013]
Sponsors: Mayor; Kim and Chu
Ordinance appropriating $507,880,000 of Certificate of Participation (COPs) proceeds to fund the Moscone Center Expansion Project in the General Services Agency, Office of the City Administrator, for FY2012-2013 and placing these funds on Controller's reserve pending issuance of the COPs or associated commercial paper used for cash flow purposes in FY2012-2013. (Economic Impact)

Ordinance No. 025-13

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

121200 [Administrative Code - Contractor Prompt Payment for Public Works Construction and Professional Services Contracts]
Sponsors: Chu; Chiu, Campos and Cohen
Ordinance amending the Administrative Code, by adding Sections 6.22(Q) and 6.42(F), to require all public works contractors to pay subcontractors within seven days of receipt of payment from the City.

Ordinance No. 027-13

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

121204 [Deed Restriction - 17th and Folsom Streets Park Project]
Sponsors: Campos; Kim
Resolution authorizing the Director of Real Estate to record a deed restriction against Assessor's Block No. 3571, Lot No. 032, for the 17th and Folsom Streets Park Project.

Resolution No. 036-13

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

130016 [Authorizing Certificates of Participation and Assessment Notes - Moscone Expansion Project - Not to Exceed $507,880,000]
Sponsors: Mayor; Kim and Chu
Ordinance authorizing the execution and delivery of Certificates of Participation evidencing and representing an aggregate principal amount of not to exceed $507,880,000 to finance the costs of additions and improvements to the George R. Moscone Convention Center; approving the form of Trust Agreement between the City and County of San Francisco and the Trustee (including certain indemnities contained therein); authorizing the selection of the Trustee by the Director of Public Finance; approving respective forms of a Property Lease and a Project Lease, each between the City and the Trustee for the lease and lease back of all or a portion of the Moscone Center, including the Moscone Expansion Project, to be constructed thereon; authorizing the execution and delivery of Assessment Notes payable from Moscone Expansion District assessments to further secure principal, premium, if any, and interest evidenced and represented by the Certificates; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of the Certificates and the Assessment Notes; approving modifications to documents and agreements; and ratifying previous actions taken in connection therewith.
(Economic Impact)

Ordinance No. 026-13

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

121105 [Administrative Code - Expanding Public Utilities Commission Local Business Enterprise Contracting Opportunities]
Sponsors: Chiu; Mar
Ordinance amending the Administrative Code, Sections 14B.2 and 14B.5, to increase contracting opportunities for certified Public Utilities Commission Local Business Enterprises and to make corresponding technical changes.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121165 [Public Employment - Amendment to the Annual Salary Ordinance for Department on the Status of Women and the District Attorney's Office - FY2012-2013]

Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener and Campos

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FY2012-2013) to reflect the addition of 1 position (0.33 FTE) in the Department on the Status of Women and 9 positions (2.97 FTEs) in the District Attorney's Office.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121166 [Appropriating $631,893 for the San Francisco Department on the Status of Women and the District Attorney's Office]

Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener and Campos

Ordinance appropriating $278,973 to the San Francisco Department on the Status of Women and $352,920 to the District Attorney's Office for FY2012-2013.

Supervisor Cohen duplicated the file. See File No. 130142

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130142 [Appropriating $118,107 for the San Francisco Department on the Status of Women]

Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener and Campos

Ordinance appropriating $278,973 to the San Francisco Department on the Status of Women and $352,920 to the District Attorney's Office for FY2012-2013.

Duplicated by Supervisor Cohen. See File No. 121166.

Supervisor Cohen, seconded by Supervisor Chiu, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Ordinance appropriating $118,107 to the San Francisco Department on the Status of Women for FY2012-2013.

Supervisor Cohen, seconded by Supervisor Chiu, moved that this Resolution be RE-REFERRED AS AMENDED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121212 [Agreement Amendment - Tides Center to Provide Supportive Housing Property Management Services - $40,508,317]

Resolution approving a Second Amendment to the agreement between the Department of Public Health and the Tides Center to provide supportive housing property management services at Direct Access to Housing sites under the Delivering Innovation in Supportive Housing Program, to extend the term by five years and increase the contract by $23,136,504 for a total of $40,508,317 for the period of July 1, 2008, through June 30, 2018. (Public Health Department)
(Fiscal Impact)

Resolution No. 037-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130044 [Accept and Expend Gift - GearUp Fund and Urban Trails Initiative Fund - $189,494.24]

Sponsor: Farrell

Resolution authorizing the Recreation and Park Department to accept and expend a gift from San Francisco Parks Trust for $189,494.24 for urban trails construction, signage, and mobile recreation, for a period to remain in effect until completion.

Resolution No. 038-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130057 [Lease Termination Agreement - Ellis-O'Farrell Parking Corporation - 123 O'Farrell Street - January 31, 2013]

Resolution authorizing the retroactive termination of the lease agreement with the Ellis-O'Farrell Parking Corporation and authorizing the Director of Transportation to execute a Lease Termination Agreement for property located at 123 O'Farrell Street, terminating on January 31, 2013. (Municipal Transportation Agency)

Resolution No. 039-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

120900 [Planning Code - Car Share Parking Spaces]

Sponsors: Wiener; Chiu, Cohen, Chu and Campos

Ordinance amending the Planning Code, Section 166, to authorize owners of projects with residential units to elect to provide additional parking spaces for car-share use which will not count against any parking maximums; allow the car-share spaces to be used for other permitted uses other than parking a motorized vehicle if a car-share organization chooses not to use the space; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Supervisors Chu and Campos requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121018 [Housing Code - Telephone Jacks and Grab Bars]

Sponsors: Mar, Chiu, Campos, Kim, Avalos and Yee

Ordinance amending the Housing Code, Section 206, to add Section 1002 to the list of retroactive provisions; Section 505, to require grab bars in hotel common-use water closets and bathing facilities; Section 1002, to include as a substandard housing condition the failure to provide a usable telephone jack and telephone wiring as required by the California Civil Code; establishing an operative date; and making environmental findings, legislative findings, and findings pursuant to California Health & Safety Code, Section 17958.5.

Supervisor Yee requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Wiener, seconded by Supervisor Mar, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to Kim Boyd, Brian Jung, Michael Sese, Gary Sponholtz, Michael Ellard, Daniel Priven, Daniel Weinstein, Neila Waters, Ginnie Padgett, Darwin Choy, Terry Hill, John Franklin, Jason Lebrun, Greg Doolittle, Loren Mcglade, and Carl Smith, of the San Francisco Lesbian/Gay Freedom Band and Color Guard, in recognition of their accomplishments and continued community support.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Alex Sinkevitch and Wilma Geevargis, of the Russian Festival, in recognition of their accomplishments and continued community support on the occasion of their 25th anniversary.

COMMITTEE REPORT

Recommendation of the Rules Committee

Supervisor Breed Excused from Voting

Supervisor Campos, seconded by Supervisor Yee, moved that Supervisor Breed be excused from voting on File No. 130082. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Breed

130082 [Appointment, San Francisco LAFCo - Supervisor London Breed]
Motion appointing Supervisor London Breed, term ending February 4, 2015, to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

Motion No. M13-024

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Breed

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Male Speaker; expressed concerns relating to renaming of airport.
Peter Warfield; expressed concerns relating to the SF Public Library.
Eugene Gordon, Jr.; expressed concerns relating to First Amendment Rights and open government.
Tom Gilberty; expressed various concerns relating to noise pollution.
Male Speaker; expressed concerns relating to rent control and housing.
Douglas Yepp; expressed various concerns.
Kati; spoke in support of Black History Month.
Karen Morasiou; spoke in support of the proposed legislation opposing the national defense authorization act.
Female Speaker; spoke in support of the proposed legislation opposing the national defense authorization act.
Bill Saito; spoke in support of the proposed legislation opposing the national defense authorization act.
Barbara Raymond; spoke in support of the proposed legislation opposing the national defense authorization act.
Male Speaker; spoke in support of the proposed legislation opposing the national defense authorization act.
Kevin Carr; spoke in support of the proposed legislation opposing the national defense authorization act.
Katie Seraff; spoke in support of the proposed legislation opposing the national defense authorization act.
Art Brisgood; spoke in support of the proposed legislation opposing the national defense authorization act.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed various concerns relating to western culture.
Male Speaker; expressed various concerns.
Beverly Anthen; spoke in support for federal funding of domestic violence.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130125 [Urging the Retirement Board to Divest from Firearm and Ammunition Manufacturers]
Sponsors: Avalos; Mar, Campos, Yee, Breed and Chiu
Resolution urging the Retirement Board of the Employees' Retirement System to divest from publicly traded firearm and ammunition manufacturers.

Supervisor Chiu requested to be added as co-sponsor.

Resolution No. 040-13

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130138 [Russian Festival 25th Anniversary - Russian Festival Day - February 22, 2013]
Sponsor: Mar
Resolution commending the 25th anniversary of the Russian Festival, sponsored by the Russian Center of San Francisco, and declaring February 22, 2013, Russian Festival Day in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130138. There were no speakers. The President declared public comment closed.

Resolution No. 041-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinance

130146 [Health Code - Commercial Dog Walking Regulations]
Sponsor: Wiener
Ordinance amending the Health Code to correct numbering and clarify provisions of the Commercial Dog Walking Ordinance.

02/12/13; ASSIGNED to Land Use and Economic Development Committee.

Resolutions

130147 [Accept and Expend Grant - FY2009 Buffer Zone Protection Program - $282,506]
Sponsor: Mayor
Resolution amending Resolution No. 529-11 to retroactively increase FY2009 Buffer Zone Protection Program grant funds from $199,820 to $282,506 for the period of April 1, 2009, through March 31, 2013.

02/12/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130148 [War Memorial Veterans Building - Transferable Development Rights]
Sponsors: Mayor; Kim and Chiu
Resolution authorizing the Director of Property to execute and cause to be recorded a Certificate of Transfer and Transfer of Development Rights (TDR) Agreement, and to take such other actions as may be necessary to effectuate a TDR transfer from the War Memorial Veterans Building pursuant to Planning Code, Section 128.
(Fiscal Impact)

02/12/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130150 [Accept and Expend Grant - Used Motor Oil Recycling - $229,123]
Sponsor: Mar
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $229,123 from the California Department of Resources Recycling and Recovery for the purpose of increasing used motor oil recycling and household hazardous waste management for the period of April 30, 2013, through June 30, 2014.

02/12/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130151 [Opposing the Indefinite Detention Provisions of the National Defense Authorization Act]
Sponsors: Chiu; Avalos, Breed, Campos, Kim and Mar
Resolution opposing the indefinite detention provisions of the National Defense Authorization Act, instructing public agencies to decline requests by Federal agencies acting under detention powers, urging law enforcement officials to allow detainees to due process, and requesting members of Congress to repeal the detention provisions of the Act.

02/12/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130152 [UCSF Philip R. Lee Institute for Health Policy Studies Day - February 27, 2013]
Sponsor: Mar
Resolution commending the Philip R. Lee Institute for Health Policy Studies at the University of California, San Francisco (UCSF), and declaring February 27, 2013, as UCSF Philip R. Lee Institute for Health Policy Studies Day in the City and County of San Francisco.

02/12/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

130153 [Hearing - America's Cup Organizing Committee's Fundraising and Finances]
Sponsor: Avalos
Hearing to review the status of the America's Cup Organizing Committee's (ACOC) efforts to raise $32 million from private sources to reimburse the City for a portion of the City's costs related to the America's Cup, including an update from the Controller on the ACOC's financial position, what the City's potential liabilities are if the ACOC fails to raise this sum, and what the City's options are for recovering any outstanding fundraising obligations, and will also consider the original determination of financial feasibility for the America's Cup, and whether the City is still responsible for staging the event when the event organizers have not fulfilled their financial obligations.

02/12/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130154 [Hearing - Administrative Code Chapter 12N - Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning Youth: Youth Services Sensitivity Training]
Sponsors: Avalos; Campos and Wiener
Hearing regarding various City departments, including but not limited to, the Department of Children, Youth and Their Families, Department of Public Health, Human Services Agency, Recreation and Parks Department, Office of Economic and Workforce Development, Juvenile Probation Department, Department on the Status of Women, Library, and Human Rights Commission efforts to implement the Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning (LGBTQQ) youth sensitivity training requirements laid out in Administrative Code, Chapter 12N; and addressing learning objectives for City employees and contractors who are required to undergo the training, it will also provide an opportunity to work with City departments to address administrative barriers to the inclusion and tracking of LGBTQQ youth in City services, including the content of intake forms, appropriate bathroom facilities, and the ability to make appropriate further referrals based on the myriad issues faced by LGBTQQ youth.

02/12/13; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

130155 [Hearing - Municipal Transportation Agency's Parking Meter Expansion Program into Neighborhoods]
Sponsor: Farrell
Hearing on the Municipal Transportation Agency's Parking Meter Expansion Program into the City's neighborhoods and residential areas; and requesting information on the statistics driving this expansion, revenues anticipated, policy rationale, and an update on future plans and projects that include parking meter expansions into our neighborhoods.

02/12/13; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

130156 [Hearing - Mayor's Pedestrian Safety Strategy and Action Plan]
Sponsors: Kim; Yee and Wiener
Hearing to review the goals, funding, and implementation of the Mayor's Pedestrian Safety Strategy and Action Plan, with presentations from the Mayor's Pedestrian Safety Task Force (co-chaired by the Municipal Transportation Agency and the Department of Public Health), and additional input requested from the County Transportation Authority and the Police Department.

02/12/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130157 **[Hearing - Status of the Better Market Street Project and the Recent Proposal to Include a Study of a Separated Bicycle Lane on Mission Street Instead of on Market Street]**

Sponsors: Wiener; Chiu

Hearing requesting the Municipal Transportation Agency, Department of Public Works, Planning Department, and the County Transportation Authority to provide an update on the Better Market Street Project, including schedule and progress on improving interagency coordination, and the proposal to construct a separated bicycle lane on Mission Street; given that bicycling is an important element of the City's commitment to a revitalized Market Street and a critical component of the City's transportation network, the Departments are requested to discuss how diverting bicycles to Mission Street is in the best interest of the City and the Better Market Street Project.

02/12/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130158 **[Hearing - Use of Revenues Generated by Octavia Boulevard Parcel Sales for Uses Other than Transportation Improvements]**

Sponsors: Wiener; Breed

Hearing requesting the Office of Economic and Workforce Development, Mayor's Office of Housing, Municipal Transportation Agency, Planning Department, and the County Transportation Authority to report on the status of the Octavia Boulevard land parcel sales and unused revenue associated with those sales; specifically, Departments are asked to report on the rationale for using this revenue for uses other than satisfying the transportation-related needs on and around Octavia, as well as possible resolutions for meeting both the area's significant transit needs as well as affordable housing needs.

02/12/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

130111 **[Settlement of Lawsuit - Derek Kerr, M.D. - $750,000]**

Ordinance authorizing settlement of the lawsuit filed by Derek Kerr, M.D., against the City and County of San Francisco for $750,000; the lawsuit was filed on November 16, 2010, in United States District Court of California, Case No. C-10-5733 CW; entitled Derek Kerr, M.D. v. City and County of San Francisco, et al. (City Attorney)

02/01/13; RECEIVED FROM DEPARTMENT.

02/12/13; RECEIVED AND ASSIGNED to Rules Committee.

130112 **[Settlement of Lawsuit - Rissa Kossen, et al. - $27,500]**

Ordinance authorizing settlement of the lawsuit filed by Rissa Kossen and Cameron Kossen against the City and County of San Francisco for $27,500; the lawsuit was filed on December 1, 2011, in San Francisco County Superior Court, Case No. CGC-11-517538; entitled Rissa Kossen and Cameron Kossen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement is full payment of San Francisco General Hospital's lien. (City Attorney)

02/01/13; RECEIVED FROM DEPARTMENT.

02/12/13; RECEIVED AND ASSIGNED to Rules Committee.

130113 [Settlement of Lawsuit - Ana Guevara - $75,000]
Ordinance authorizing settlement of the lawsuit filed by Ana Guevara against the City and County of San Francisco for $75,000; the lawsuit was filed on October 13, 2011, in San Francisco Superior Court, Case No. CGC-11-515089; entitled Ana Guevara v. City and County of San Francisco, et al. (City Attorney)

02/01/13; RECEIVED FROM DEPARTMENT.

02/12/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

130072 [Airport Concession Lease - Clear Channel Outdoor, Inc., dba Clear Channel Airports - $10,000,000 Minimum Annual Guarantee]
Resolution approving the Airport Advertising Lease between Clear Channel Outdoor, Inc., dba Clear Channel Airports, acting by and through its Airport Commission, for an eight year term with a minimum annual guarantee of $10,000,000. (Airport Commission)
(Fiscal Impact)

02/01/13; RECEIVED FROM DEPARTMENT.

02/12/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

Antonio "Sonny" Palabrica - Supervisor Chu
Diana Sullivan - Supervisor Kim
Charlie Morgan - Supervisor Wiener
Keiko Fukuda - Supervisor Wiener

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:47 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 19, 2013.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT DOCUMENTS DEPT
APR - 7 2015
SAN FRANCISCO PUBLIC LIBRARY

Tuesday, February 26, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 1:00 PM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Government Audit and Oversight Committee Supervisors Chu, Cohen, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Public Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Carmen Chu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:11 p.m. On the call of the roll, Supervisors Kim and Mar were noted absent. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of January 15, 2013. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Wiener, Yee
Absent: 2 - Kim, Mar

COMMUNICATIONS

There were none.

Supervisor Mar was noted present at 2:13 p.m.

Supervisor Kim was noted present at 2:14 p.m.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

121105 [Administrative Code - Expanding Public Utilities Commission Local Business Enterprise Contracting Opportunities]
Sponsors: Chiu; Mar
Ordinance amending the Administrative Code, Sections 14B.2 and 14B.5, to increase contracting opportunities for certified Public Utilities Commission Local Business Enterprises and to make corresponding technical changes.

Ordinance No. 030-13

FINALLY PASSED

121165 [Public Employment - Amendment to the Annual Salary Ordinance for Department on the Status of Women and the District Attorney's Office - FY2012-2013]
Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener and Campos
Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FY2012-2013) to reflect the addition of 1 position (0.33 FTE) in the Department on the Status of Women and 9 positions (2.97 FTEs) in the District Attorney's Office.
(Fiscal Impact)

Ordinance No. 031-13

FINALLY PASSED

121166 [Appropriating $631,893 for the San Francisco Department on the Status of Women and the District Attorney's Office]
Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener and Campos
Ordinance appropriating $278,973 to the San Francisco Department on the Status of Women and $352,920 to the District Attorney's Office for FY2012-2013.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she received notification from the Controller that this matter required a two-thirds vote pursuant to Charter, Section 9.113(c) and Administrative Code, Section 3.15.

Ordinance No. 032-13

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

120900 [Planning Code - Car Share Parking Spaces]
Sponsors: Wiener; Chiu, Cohen, Chu and Campos
Ordinance amending the Planning Code, Section 166, to authorize owners of projects with residential units to elect to provide additional parking spaces for car-share use which will not count against any parking maximums; allow the car-share spaces to be used for other permitted uses other than parking a motorized vehicle if a car-share organization chooses not to use the space; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Ordinance No. 028-13

FINALLY PASSED

121018 [Housing Code - Telephone Jacks and Grab Bars]
Sponsors: Mar, Chiu, Campos, Kim, Avalos and Yee
Ordinance amending the Housing Code, Section 206, to add Section 1002 to the list of retroactive provisions; Section 505, to require grab bars in hotel common-use water closets and bathing facilities; Section 1002, to include as a substandard housing condition the failure to provide a usable telephone jack and telephone wiring as required by the California Civil Code; establishing an operative date; and making environmental findings, legislative findings, and findings pursuant to California Health & Safety Code, Section 17958.5.

Ordinance No. 029-13

FINALLY PASSED

130005 [Street Artist Spaces - Market Street, Spear to Steuart Streets]
Resolution approving designation of six selling spaces on Market Street, north side, Spear to Steuart Streets, for street artists certified by the Arts Commission; and exempting said spaces from the regulations of Police Code, Section 2405, relating to street artist display size. (Arts Commission)

Resolution No. 050-13

ADOPTED

130063 [Street Artist Spaces - Post Street at Stockton Street]
Resolution approving re-designation, for six months, two temporary selling spaces on Post Street, northwest corner, at Stockton Street, for street artists certified by the Arts Commission. (Arts Commission)

Resolution No. 052-13

ADOPTED

130064 [Street Artist Space - Leavenworth Street at Jefferson Street]
Resolution approving re-designation of one selling space on Leavenworth Street, west side, at Jefferson Street, for six months, for street artists certified by the Arts Commission; exempting said space from the regulations of Police Code, Section 2405(c)(6) and (11), prohibiting selling within ten feet from the outer edge of any entrance to any building and prohibiting selling within five feet from the display of any other street artist. (Arts Commission)

Resolution No. 053-13

ADOPTED

Recommendations of the Rules Committee

130034 [Settlement of Lawsuit - Mary Bull - $465,000]
Ordinance authorizing settlement of a lawsuit filed by Mary Bull, Lisa Giampaoli, Alexis Bronson, Micky Mangosing, Leigh Fleming, Laura Timbrook, J. Quechan Allen, Diana Smith, Michele De Ranleau, Michael Marron, Steve Noh, Sister Bernie Galvin, and Brian Vowell against the City and County of San Francisco for an amount not to exceed $465,000; the lawsuit was filed on April 23, 2003, in United States District Court, Northern District of California, Case No. C03-1840 (CRB); entitled Mary Bull et al. v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

130050 [Amending the Board's Rules - Establish Neighborhood Services and Safety Committee - Combining the City Operations and Neighborhood Services and the Public Safety Committees]
Sponsor: Chiu
Motion amending the Board of Supervisors Rules of Order, Rule 3.27, and deleting Rule 3.29, to establish the Neighborhood Services and Safety Committee by combining the City Operations and Neighborhood Services Committee and the Public Safety Committee.

Motion No. M13-025

APPROVED

130073 [Appointments, Veterans' Affairs Commission - Mary Tramil and Dottie Guy]
Motion appointing Mary Tramil and Dottie Guy, terms ending January 31, 2017, to the Veterans' Affairs Commission. (Clerk of the Board)

Motion No. M13-026

APPROVED

130081 [Appointments, Golden Gate Bridge, Highway and Transportation District - Richard Grosboll, Michael Theriault, Dave Snyder, and Janet Reilly]
Motion appointing Richard Grosboll, Michael Theriault, Dave Snyder, and Janet Reilly, terms ending January 31, 2015, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

Motion No. M13-027

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

121124 [Administrative Code - Compensation For City Employees With Same-Sex Spouses Or Same-Sex Domestic Partners to Offset Federal Income Tax on Health Insurance Premiums]
Sponsors: Farrell; Campos, Chu, Wiener, Avalos and Mar
Ordinance amending the Administrative Code, by adding Sections 16.704 and 16.29-7.6, to mandate payments to City employees to offset federal income taxation on health insurance premiums for their same-sex spouses or same-sex domestic partners and to exclude such payments from the computation of compensation under the San Francisco Employees' Retirement System.
(Fiscal Impact)

Supervisor Farrell, seconded by Supervisor Chu, moved that this Ordinance be AMENDED on Page 3, by deleting Lines 13 through 17; Line 18, by changing '3' to '4'; by deleting text on Lines 20 through 23, following 'severable'; Line 24, by changing '4' to '5'; and on Page 4, Line 1, by changing '5' to '6'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisors Breed and Chiu requested to be added as co-sponsors.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130017 [Appropriating $6,589,395 for the Department of Juvenile Probation, the Department of Public Health, the Human Services Agency, and the Art Commission - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $6,589,395 of State Revenue Loss Reserve to fund the de-appropriation of State revenue of $534,406 at the Department of Public Health and appropriating uses of $50,000 to the Department of Juvenile Probation, $2,424,528 to the Department of Public Health, $3,180,461 to the Human Services Agency, and $400,000 to the Art Commission in FY2012-2013.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121184 [Lease Agreement - Japan Center Garage Corporation - Japan Center Public Parking Garage - $1]

Resolution approving a lease agreement between the Municipal Transportation Agency and the City of San Francisco Japan Center Garage Corporation for the Japan Center Public Parking Garage with an initial term of 10 years for a base rent of $1 and two 5-year options for a base rent of $1 for each option. (Municipal Transportation Agency)

Privilege of the floor was granted to Ed Reiskin, Municipal Transportation Agency Director, who responded to questions raised throughout the discussion.

Resolution No. 046-13

ADOPTED by the following vote:

Ayes: 9 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Noes: 2 - Avalos, Chu

121185 [Lease Agreement - Uptown Parking Corporation - Sutter Stockton Public Parking Garage - $1]

Resolution approving a lease agreement between the Municipal Transportation Agency and the City of San Francisco Uptown Parking Corporation for the Sutter Stockton Public Parking Garage with an initial term of 10 years for a base rent of $1 and two 5-year options for a base rent of $1 for each option. (Municipal Transportation Agency)

Privilege of the floor was granted to Ed Reiskin, Municipal Transportation Agency Director, who responded to questions raised throughout the discussion.

Resolution No. 047-13

ADOPTED by the following vote:

Ayes: 9 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Noes: 2 - Avalos, Chu

121191 [Airport Concession Lease - Avila Retail Development and Management, LLC - $162,000 Minimum Annual Guarantee]

Resolution retroactively approving the Boarding Area "F" Specialty Store Lease between Avila Retail Development and Management, LLC, and the City and County of San Francisco, acting by and through its Airport Commission with a minimum annual guarantee of $162,000 for a term from January 1, 2013, through December 31, 2019. (Airport Commission)

Resolution No. 048-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121225 [Contract Amendment - Xtech - $90,580,000]

Resolution authorizing the Office of Contract Administration to enter into the Seventh Amendment between the City and Xtech (part of the Technology Store procurement vehicle) in which the amendment shall increase the contract amount from $60,490,000 to $90,580,000 for the period of January 1, 2009, through December 31, 2013. (Office of Contract Administration) (Fiscal Impact)

Privilege of the floor was granted to Bill Jones (Office of Contract Administration) who responded to questions raised throughout the discussion.

Resolution No. 049-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130056 [California Environmental Quality Act Findings - Calaveras Dam Replacement Project]

Resolution adopting findings under the California Environmental Quality Act related to modifications to the San Francisco Public Utilities Commission Water System Improvement Program Calaveras Dam Replacement Project, located in Alameda and Santa Clara Counties, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

Resolution No. 051-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130091 [Accept and Expend Grant - Anti-Human Trafficking Task Force Program - $200,000]

Sponsor: Chu

Resolution authorizing the Police Department to retroactively accept and expend a grant in the amount of $200,000 from the California Emergency Management Agency for the Anti-Human Trafficking Task Force Program for the period of October 1, 2012, through September 30, 2013.

Resolution No. 054-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130121 [Lease - Los Altos Hotel Associates, LLC - Hotel Parking and Recreation Purposes - $52,324 Annually Plus Adjustments]

Sponsor: Mayor

Resolution authorizing the General Manager of the Public Utilities Commission to execute a 20 year lease, for $52,324 annually with an annual increase of four percent, with Los Altos Hotel Associates, LLC, for approximately 47,916 square feet of land known as Bay Division Pipelines 3 and 4, Parcel No. 232A, located in the City of Los Altos, Santa Clara County, California, for hotel parking and recreation purposes.

Resolution No. 044-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendations of the City Operations and Neighborhood Services Committee

120747 [Liquor License - 313 Ivy Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Angel Davis and Nguey Lay for 7682, LLC, dba Fig and Thistle, located at 313 Ivy Street (District 5), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with Business and Professions Code, Section 23958.4, with conditions.

Resolution No. 045-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

120998 [Liquor License - 310-320 Geary Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Lynne Carmichael for Eno St. Francis, LLC, dba Eno, located at 310-320 Geary Street (District 3), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with Business and Professions Code, Section 23958.4, with conditions.

Resolution No. 043-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Referred from the Land Use and Economic Development Committee Without Recommendation

121168 [Street Encroachment - 54 Peralta Avenue]
Sponsor: Chiu

Resolution granting revocable permission to Aquilina Family 2001 Revocable Trust to occupy a portion of the public right-of-way to remove and reconstruct a portion of a City owned and maintained retaining wall to construct a concrete driveway ramp, with accessible transition slopes to conform to the existing sidewalk grade, that will provide vehicular access to a proposed new residence with a garage at 54 Peralta Avenue (Assessor's Block No. 5512, Lot No. 029), conditioned upon the payment of an annual assessment fee of $215; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

Supervisor Campos, seconded by Supervisor Avalos, moved that this Resolution be CONTINUED to March 12, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendations of the Rules Committee

Supervisor Campos Excused from Voting

Supervisor Avalos, seconded by Supervisor Mar, moved that Supervisor Campos be excused from voting on File No. 130075. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Campos

130075 [Reappointment, Golden Gate Bridge, Highway and Transportation District - Supervisor David Campos]

Motion reappointing Supervisor David Campos, term ending January 31, 2015, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

Motion No. M13-028

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Campos

Supervisor Wiener Excused from Voting

Supervisor Campos, seconded by Supervisor Chu, moved that Supervisor Wiener be excused from voting on File No. 130076. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Yee
Excused: 1 - Wiener

130076 [Appointment, Golden Gate Bridge, Highway and Transportation District - Supervisor Scott Wiener]

Motion appointing Supervisor Scott Wiener, term ending January 31, 2015, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

Motion No. M13-029

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Yee
Excused: 1 - Wiener

Supervisor Yee Excused from Voting

Supervisor Farrell, seconded by Supervisor Cohen, moved that Supervisor Yee be excused from voting on File No. 130077. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener
Excused: 1 - Yee

130077 [Appointment, Golden Gate Bridge, Highway and Transportation District - Supervisor Norman Yee]

Motion appointing Supervisor Norman Yee, term ending January 31, 2015, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

Motion No. M13-030

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener
Excused: 1 - Yee

Supervisor Cohen Excused from Voting

Supervisor Campos, seconded by Supervisor Mar, moved that Supervisor Cohen be excused from voting on File No. 130078. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Cohen

130078 [Reappointment, Association of Bay Area Governments Executive Board - Supervisor Malia Cohen]

Motion reappointing Supervisor Malia Cohen, term ending June 30, 2014, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

Motion No. M13-031

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Cohen

Supervisor Mar Excused from Voting

Supervisor Campos, seconded by Supervisor Yee, moved that Supervisor Mar be excused from voting on File No. 130079. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Wiener, Yee
Excused: 1 - Mar

130079 [Reappointment, Bay Area Air Quality Management District - Supervisor Eric Mar]

Motion reappointing Supervisor Eric Mar, term ending February 1, 2017, to the Bay Area Air Quality Management District Board of Directors. (Clerk of the Board)

Motion No. M13-032

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Wiener, Yee
Excused: 1 - Mar

Supervisor Avalos Excused from Voting

Supervisor Chu, seconded by Supervisor Campos, moved that Supervisor Avalos be excused from voting on File No. 130080. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Avalos

130080 [Reappointment, Bay Area Air Quality Management District - Supervisor John Avalos]

Motion reappointing Supervisor John Avalos, term ending February 1, 2017, to the Bay Area Air Quality Management District Board of Directors. (Clerk of the Board)

Motion No. M13-033

APPROVED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Avalos

130107 [Appointment, Historic Preservation Commission - Aaron Hyland]

Motion approving the Mayor's nomination for appointment of Aaron Hyland to the Historic Preservation Commission, for a term ending December 31, 2016. (Clerk of the Board) (Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - January 29, 2013.)

Motion No. M13-034

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130108 [Reappointment, Historic Preservation Commission - Diane Matsuda]

Motion approving the Mayor's nomination for reappointment of Diane Matsuda to the Historic Preservation Commission, for a term ending December 31, 2016. (Clerk of the Board)

Motion No. M13-035

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Kim, seconded by Supervisor Mar, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Kim introduced, welcomed, and presented Certificates of Honor to Jeffrey Chambers and the firefighters who risked their lives in the recent Treasure Island fire.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to the family and friends of the late community organizer, Fred Ross, Sr., in recognition of his accomplishments. Supervisors Avalos and Campos shared in this commendation.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to the staff and faculty of UCSF Philip R. Lee Institute for Health Policy Studies in recognition of their accomplishments and continued community support on the occasion of their 40th anniversary.

BLACK HISTORY MONTH
Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Black History Month, their accomplishments, and their continued community support as referenced below:

Supervisor Mar recognized Dr. Dorothy Randall Tsuruta, presented to Bobby Randall, and JJ Parsons (KPOO 89.5 Radio); and
Supervisor Farrell recognized Michael Carr; and
Supervisor Chiu recognized Jamie Allison-Hope; and
Supervisor Chu recognized Al Williams; and
Supervisor Breed recognized Karim Mayfield and Pat Scott; and
Supervisor Kim recognized LaTonya Jones; and
Supervisor Yee recognized Dr. Allison Metz; and
Supervisor Wiener recognized Brett Andrews; and
Supervisor Campos recognized Marco Senghor; and
Supervisor Cohen recognized Ann deJesus; and
Supervisor Avalos recognized Mary Lavalais.

COMMITTEE REPORT

Recommendation of the Land Use and Economic Development Committee

130019 [Planning Code, Zoning Map - Central Subway Tunnel Boring Machine Extraction Site Special Use District]

Sponsor: Chiu

Ordinance amending the Planning Code, by adding Section 249.70, to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street, to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps HT 01 and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; adopting findings, including environmental findings, and findings of consistency with the General Plan.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to SF Public Library and government.
Walter Paulson; shared in song certain concerns with the Board.
Peter Warfield; expressed concerns relating to the SF Public Library.
Male Speaker; expressed various religious concerns.
Trevor Johnson; expressed concerns relating to ride sharing applications.
Female Speaker; shared in poem certain concerns with the Board.
Star Child; spoke in support of the proposed legislation opposing the National Defense Authorization Act.
Douglas Yep; expressed various concerns.
Aubrey Freedom; spoke in support of the proposed legislation opposing the National Defense Authorization Act.
Phillip Berg; spoke in support of the proposed legislation opposing the National Defense Authorization Act.
John; expressed various concerns.
Female Speaker; spoke in support of the proposed legislation opposing the National Defense Authorization Act.
Winston Chin; spoke in support of the proposed legislation opposing the National Defense Authorization Act.
Michael Lange; spoke in support of the proposed legislation opposing the National Defense Authorization Act.
Nadia; spoke in support of the proposed legislation opposing the National Defense Authorization Act.
Alishedo Meadow; spoke in support of the proposed legislation opposing the National Defense Authorization Act.
Robyn Corwin; spoke in support of the proposed legislation opposing the National Defense Authorization Act.

Supervisor Mar was noted absent at 6:20 p.m., and noted present at 6:25 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130152 **[UCSF Philip R. Lee Institute for Health Policy Studies Day - February 27, 2013]**
Sponsor: Mar
Resolution commending the Philip R. Lee Institute for Health Policy Studies at the University of California, San Francisco (UCSF), and declaring February 27, 2013, as UCSF Philip R. Lee Institute for Health Policy Studies Day in the City and County of San Francisco.

Resolution No. 056-13

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Wiener, Yee
Absent: 1 - Mar

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 130151 be severed so that it may be considered separately.

130151 [Opposing the Indefinite Detention Provisions of the National Defense Authorization Act]

Sponsors: Chiu; Avalos, Breed, Campos, Kim and Mar

Resolution opposing the indefinite detention provisions of the National Defense Authorization Act, instructing public agencies to decline requests by Federal agencies acting under detention powers, urging law enforcement officials to allow detainees to due process, and requesting members of Congress to repeal the detention provisions of the Act.

Resolution No. 055-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mar, seconded by Supervisor Wiener, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mar, seconded by Supervisor Wiener, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130170 [Fred Ross Sr. Presidential Medal of Freedom]

Sponsors: Mar; Campos and Avalos

Resolution urging President Barack Obama to award posthumously the Presidential Medal of Freedom to legendary organizer, Fred Ross, Sr.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130170. There were no speakers. The President declared public comment closed.

Resolution No. 057-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Chiu, seconded by Supervisor Farrell, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Chiu, seconded by Supervisor Farrell, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130169 [Commending Supervisor Carmen Chu]

Resolution commending and honoring Supervisor Carmen Chu for her distinguished service as a Supervisor of the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130169. There were no speakers. The President declared public comment closed.

Resolution No. 042-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

120796 [Planning Code, Zoning Map - Establishing the Divisadero Street Neighborhood Commercial District]

Sponsor: Breed

Ordinance amending the Planning Code to establish the Divisadero Street Neighborhood Commercial District (NCD) along Divisadero Street between Haight and O'Farrell Streets; repeal the Divisadero Street Alcohol Restricted Use District (RUD); amend various other sections to make conforming and other technical changes; amending the Zoning Map to add the Divisadero Street NCD and delete the Divisadero Street RUD; and adopting environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

07/24/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

07/27/12; REFERRED TO DEPARTMENT.

07/31/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

08/09/12; REFERRED TO DEPARTMENT.

10/30/12; REMAIN ACTIVE.

11/26/12; RESPONSE RECEIVED.

12/04/12; RESPONSE RECEIVED.

02/26/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

130179 [Agreement - Tom Eliot Fisch/Knapp Architects, JV - Authorizing Waiver of Certain As-Needed Contract Requirements In Order to Complete Design and Engineering of Bayview Opera House - $1,275,000]

Sponsor: Cohen

Ordinance waiving the as-needed contract modification not to exceed amount requirement under Administrative Code, Section 6.64, and authorizing the Director of Public Works to amend its as-needed Architectural Services Agreement with Tom Eliot Fisch/Knapp Architects, JV by increasing the not to exceed amount by $150,000 from $1,125,000 to $1,275,000 for the limited purpose of completing the design and engineering for the Bayview Opera House project for the period of September 2, 2010, through September 1, 2015.

02/26/13; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 3/28/2013.

130180 [Planning Code - Pre-Application Meetings in Production/Distribution/Repair-1-B (Light Industrial Buffer) District]
Sponsor: Cohen
Ordinance amending the Planning Code, by adding Section 313, to require pre-application meetings for certain projects in the Product/Distribution/Repair -1-B Districts; and making environmental, General Plan, and Planning Code Section 101(b) findings.
02/26/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/28/2013.

130181 [Administrative Code - Exceptions to Seismic Safety Loan Program Requirements for a $2,379,464 Loan to Hotel Isabel, 1091 Mission Street]
Sponsor: Kim
Ordinance approving exceptions to requirements of the Seismic Safety Loan Program (SSLP) under the Administrative Code and the SSLP Program Regulations, regarding a $2,379,464 loan for an existing affordable housing project at the Hotel Isabel located at 1091 Mission Street.
02/26/13; ASSIGNED to Land Use and Economic Development Committee.

130182 [Police, Administrative Codes - Entertainment-Related Permits]
Sponsor: Wiener
Ordinance amending the Police Code to clarify permit requirements and procedures, as well as to expand suspension, citation, and enforcement provisions regarding Entertainment Commission permits, including Place of Entertainment Permits, Limited Live Performance Permits, Temporary Place of Entertainment Permits, Temporary Limited Live Performance Permits, Extended-Hours Premises Permits, and Temporary Extended-Hours Premises Permits, and noise limits and standards; amending the Administrative Code to clarify fee setting and reporting procedures; and making environmental findings.
02/26/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/28/2013.

130183 [Accept and Expend Grant - FY2012 Second Chance Act Juvenile Offender Reentry Program and Amendment to the Annual Salary Ordinance, FY2012-2013 - $461,166]
Sponsor: Breed
Ordinance authorizing the Juvenile Probation Department (JPD) to retroactively accept and expend a grant in the amount of $461,166 from the Office of Justice Programs for the United States Department of Justice for funding under the FY2012 Second Chance Act Juvenile Offender Reentry Program (Second Chance grant award); and amending Ordinance No. 165-12 (Annual Salary Ordinance, FY2012-2013 and FY2013-2014) to reflect the addition of one Class 2910 Social Worker grant-funded position (0.4 FTE) at JPD.
(Fiscal Impact)
02/26/13; ASSIGNED to Government Audit and Oversight Committee.

130185 [Appropriating $656,958 of General Fund Reserve to the Public Defender for Salary Expenditures - FY2012-2013]
Sponsors: Campos; Avalos and Mar
Ordinance appropriating $751,312 from the General Fund Reserve to the Public Defender for salary expenditures in FY2012-2013, pursuant to Charter Section 9.113, this appropriation is subject to a two-thirds affirmative vote of all members of the Board of Supervisors.

130186 [Environment Code - Repealing Yellow Pages Distribution Pilot Program]
Sponsor: Chiu
Ordinance amending the Environment Code by repealing Yellow Pages Distribution Pilot Program.

Resolutions

130172 [Multifamily Housing Revenue Bonds - 1100 Ocean Avenue - Not to Exceed $25,000,000]
Sponsor: Yee
Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $25,000,000 for 1100 Ocean Avenue (Assessor's Parcel No. 3180, portion of Lot No. 1); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $25,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130173 [Adjusting the Access Line Tax with the Consumer Price Index of 2013]
Sponsor: Mayor
Resolution concurring with the Controller's establishment of the Consumer Price Index for 2013, and adjusting the Access Line Tax by the same rate.

02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130174 [Approval of a 60 Day Extension for Planning Commission Review of Conversion, Demolition, Merger, and Conformity of Residential Uses (File No. 130041)]
Sponsor: Avalos
Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130041) amending the Planning Code by repealing Sections 790.84, 790.86, 890.84, and 890.86 and amending Section 317 and various other sections to: 1) revise the criteria for the residential demolition, conversion and merger; 2) standardize definitions of residential demolition, conversion and merger across various use districts; 3) permit the enlargement or alteration of dwelling units which are nonconforming as to density in districts where dwelling units are principally permitted if there is no increase in nonconformity of height, bulk, or required rear yards or setbacks; 4) permit alterations to nonconforming uses or noncomplying structures to comply with disabled access requirements or to provide secure bicycle parking; 5) establish a strong presumption in favor of preserving dwelling units in enforcement of requirements for nonconforming uses, structures and lots; and 6) making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

02/26/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130175 [Accept and Expend Grant - Keys to Freedom Program - $599,894]
Sponsor: Breed

Resolution authorizing the Sheriff's Department to retroactively accept and expend $599,894 in funds from the U.S. Department of Justice, Office of Justice Programs, through the Second Chance Act Reentry Program for adult offenders with co-occurring substance abuse and mental health disorders, for The Keys to Freedom Program to increase public safety, and reduce recidivism among incarcerated and recently released women and transgendered adults in the City and County of San Francisco; and waiving any indirect costs for the period of October 1, 2012, through September 30, 2014.

02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130176 [Accept and Expend Grant - FY2007 Supplemental Port Security - $376,700]
Sponsor: Chiu

Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of $376,700 from the Federal Emergency Management Agency for the FY2007 Supplemental Port Security Grant Program for assets to enhance the Fire Department's water-based response capabilities and increase its protection of the Port of San Francisco and the San Francisco Bay for the period of October 1, 2007, through September 30, 2012.

02/26/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

130177 [Multifamily Housing Revenue Bonds - Broadway Sansome Apartments - Not to Exceed $23,900,000]
Sponsor: Chiu

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $23,900,000 for the purpose of providing financing for the acquisition and construction of a 75-unit multifamily rental housing project known as Broadway Sansome Apartments; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130178 [Accept and Expend Grant - CalRecycle Tire Derived Product Program - $150,000]
Sponsor: Farrell

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a CalRecycle Tire-Derived Product (TDP) Grant in the amount of $150,000 from the California Department of Resources Recycling and Recovery for the purchase of TDP materials for use at various City park sites for the period of June 1, 2011, through March 31, 2013. (Recreation and Park Department)

02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130184 [Approval of a 60 Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No. 111278)]

Sponsor: Cohen

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 111278) that would amend the Planning Code, by adding Section 249.67, and amending Section Map SU08 of the Zoning Map, to establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

02/26/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130188 [Accept and Expend Grant - Trust for Public Land - $3,350,000]

Sponsor: Kim

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant of up to $3,350,000 from the Trust for Public Land for the design and construction of improvements to Father Alfred E. Boeddeker Park for the period of August 2012, through June 20, 2014.

130189 [Urging the California State Legislature to Pass Senate Bill 219]

Sponsors: Mar; Yee

Resolution urging the California State Legislature to Pass Senate Bill 219 to permanently extend double fine zones along State Highway Route 1 between Junipero Serra Boulevard and Lake Street and State Highway Route 101 between Golden Gate Avenue and Lyon Street.

02/26/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130190 [Multifamily Housing Revenue Obligations - 2175 Market Street Apartments - $30,000,000]

Sponsor: Wiener

Resolution authorizing the execution/issuance, sale and delivery of a multifamily mortgage revenue note and subordinate multifamily housing revenue bonds in an aggregate principal amount not to exceed $30,000,000 (together, the "Obligations") for the purpose of providing financing for the acquisition and construction of a 88-unit multifamily residential rental housing development known as the 2175 Market Street Apartments; approving the form of and authorizing the execution of a funding loan agreement and borrower loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a subordinate trust indenture providing the terms and conditions of the subordinate bonds; approving the form of and authorizing the execution of a subordinate loan agreement relating to the subordinate bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the Obligations and the project; approving modifications, changes and additions to the documents; granting general authority to City officials to take actions necessary to implement this resolution; and ratifying and approving any action heretofore taken in connection with the Obligations and the project.

02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130191 [Apply For - CalHome Program]
Sponsor: Mayor
Resolution authorizing the Mayor's Office of Housing to submit an application to the California Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests for Hearing

130159 [Hearing - Shared Schoolyards Project]
Sponsor: Farrell
Hearing to provide an update on the Shared Schoolyards Project and an opportunity for discussion about what is working well with the program, as well as what can be done better.

02/26/13; RECEIVED AND ASSIGNED to City and School District Select Committee.

130192 [Hearing - Sheriff Department Budget Update - FY2013-2014 and FY2014-2015]
Sponsor: Farrell
Hearing to receive an update on the Sheriff Department's budget for FY2013-2014 and FY2014-2015.

02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130193 [Hearing - Recreation and Park Department Budget Update - FY2013-2014 and FY2014-2015]
Sponsor: Farrell
Hearing to receive an update on the Recreation and Park Department's budget for FY2013-2014 and FY2014-2015.

02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130194 [Hearing - Department of Public Health Budget Update - FY2013-2014 and FY2014-2015]
Sponsor: Farrell
Hearing to receive an update on the Department of Public Health's budget for FY2013-2014 and FY2014-2015.

02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130195 [Hearing - Department on Children, Youth, and Their Families and First Five Commission Budget Update - FY2013-2014 and FY2014-2015]
Sponsor: Farrell
Hearing to receive update on the Department on Children, Youth, and their Families and First Five Commission's budget for FY2013-2014 and FY2014-2015.

02/26/13; RECEIVED AND ASSIGNED to Board of Supervisors.

130196 [Hearing - Department of Public Works Budget Update - FY2013-2014 and FY2014-2015]
Sponsor: Farrell
Hearing to receive an update on the Department of Public Works budget for FY2013-2014 and FY2014-2015.
02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130197 [Hearing - Fire Department Budget Update - FY2013-2014 and FY2014-2015]
Sponsor: Farrell
Hearing to receive an update on the Fire Department's budget for FY2013-2014 and FY2014-2015.
02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130198 [Hearing - Police Department Budget Update - FY2013-2014 and FY2014-2015]
Sponsor: Farrell
Hearing to receive an update on the Police Department's budget for FY2013-2014 and FY2014-2015.
02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130199 [Hearing - Human Services Agency Budget Update - FY2013-2014 and FY2014-2015]
Sponsor: Farrell
Hearing to receive an update on the Human Services Agency's budget for FY2013-2014 and FY2014-2015.
02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130200 [Hearing - City's Reserve and Set-Aside Policy - FY2013-2014 and FY2014-2015]
Sponsor: Farrell
Hearing to consider City's reserve and set-aside policies for FY2013-2014 and FY2014-2015.
02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130201 [Hearing - Ten-Year Capital Plan]
Sponsor: Farrell
Hearing to receive an update from the Capital Planning Program on the City's Ten-Year Capital Plan.
02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130202 [Hearing - Five-Year Financial Plan]
Sponsor: Farrell
Hearing to receive an update from the Controller's Office and the Mayor's Budget Office on the City's Five-Year Financial Plan.
02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130203 [Hearing - Information and Communication Technology Plan]
Sponsors: Farrell; Chiu
Hearing to receive an update from the Mayor's Budget Office on the City's Information and Communication Technology Plan.
02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130204 [Hearing - Information Technology Upgrades for Emergency Personnel]
Sponsor: Farrell
Hearing to receive an update from the Mayor's Budget Office on the draft plan outlining immediate information technology upgrades for San Francisco's emergency personnel.

02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130205 [Hearing - Public Health Projected Deficit - $45,900,000 - FY2012-2013]
Sponsor: Farrell
Hearing to receive an update from the Department of Public Health on the $45,900,000 deficit projected by the Controller's six-month report and plans to address the deficit.

02/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130206 [Hearing - Municipal Transportation Agency's Traffic Calming Program]
Sponsor: Kim
Hearing to receive an update on the Municipal Transportation Agency's Traffic Calming Program, particularly the school criteria for funding, including an updated list of schools currently receiving funding through the Program, and potential criteria and physical solutions for schools that operate near heavy traffic arterials where lowering the speed limit by creating a "School Zone" is not an option.

02/26/13; RECEIVED AND ASSIGNED to City and School District Select Committee.

130207 [Hearing - Proposition H Expenditure Plan and Reauthorization]
Sponsor: Kim
Hearing to receive updates from the Mayor's Budget Office, Controller's Office, and San Francisco Unified School District (SFUSD) on the Proposition H expenditure plan, the establishment of standardized processes for allocation of funds to SFUSD by the City and County of San Francisco, and the status of possible reauthorization of Proposition H.

02/26/13; RECEIVED AND ASSIGNED to City and School District Select Committee.

130208 [Hearing - Displacement of Residential Fire Victims]
Sponsor: Mar
Hearing on the City and County of San Francisco's response to the needs of fire victims after displacement from residential fires.

02/26/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130131 [Administrative Code - Agricultural Inspection Fees]
Ordinance amending the Administrative Code, Section 1.10, to revise registration fees for inspecting agricultural products; and making environmental findings. (Public Health Department)

02/08/13; RECEIVED FROM DEPARTMENT.

02/20/13; REFERRED TO DEPARTMENT.

02/26/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/28/2013.

130132 [Administrative Code - Weights and Measures Fees]
Ordinance amending the Administrative Code, Section 1.13-5, to revise registration fees for inspecting and testing weighing and measuring devices as provided by State law; and making environmental findings. (Public Health Department)

02/08/13; RECEIVED FROM DEPARTMENT.

02/20/13; REFERRED TO DEPARTMENT.

02/26/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/28/2013.

130133 [Administrative Code - Public Health Solid Waste Penalties Fund]
Ordinance amending the Administrative Code, by adding Section 10.100-217, to establish a fund for the deposit of civil penalties assessed by the Department of Public Health and paid by operators of solid waste facilities for violation of solid waste disposal laws; and making environmental findings. (Public Health Department)

02/08/13; RECEIVED FROM DEPARTMENT.

02/20/13; REFERRED TO DEPARTMENT.

02/26/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/28/2013.

130135 [Settlement of Lawsuit - Shawn and Sarah Myers - $200,000]
Ordinance authorizing settlement of the lawsuit filed by Shawn and Sarah Myers against the City and County of San Francisco for $200,000; the lawsuit was filed on February 27, 2008, in United States District Court, Case No. 08-cv-1163; entitled Shawn Myers, et al., v. City and County of San Francisco, et al. (City Attorney)

02/11/13; RECEIVED FROM DEPARTMENT.

02/26/13; RECEIVED AND ASSIGNED to Rules Committee.

130136 [Settlement of Lawsuit - Veronica Hinkley Reck - $70,000]
Ordinance authorizing settlement of the lawsuit filed by Veronica Hinkley Reck against the City and County of San Francisco for $70,000; the lawsuit was filed on July 27, 2011, in Alameda Superior Court, Case No. RG-11-587571; entitled Veronica Hinkley Reck, et al. v. City and County of San Francisco, et al. (City Attorney)

02/11/13; RECEIVED FROM DEPARTMENT.

02/26/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

130110 [Street Artist Spaces - Market Street at Spear Street]
Resolution approving designation of five selling spaces on Market Street, north side, at Spear Street, for Saturday use by street artists certified by the Arts Commission; exempting said spaces from the regulations of Police Code, Section 2405(c), relating to street artist display size, distance from entrances, and distance between artists' displays. (Arts Commission)

02/11/13; RECEIVED FROM DEPARTMENT.

02/26/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130137 [Settlement of Unlitigated Claim - SF Works - $110,000]
Resolution approving the settlement of the unlitigated claim filed by the City and County of San Francisco against SF Works for $110,000. (City Attorney)

02/11/13; RECEIVED FROM DEPARTMENT.

02/26/13; RECEIVED AND ASSIGNED to Rules Committee.

In Memoriams

Yvonne Harris - Supervisor Cohen
Cornelia Earlina Godfrey - Supervisor Kim
Wenzell Phillip Jackson - Supervisor Cohen
Lawrence Collins - Supervisor Avalos

ADJOURNMENT

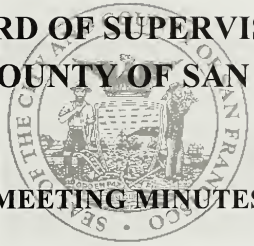
There being no further business, the Board adjourned at the hour of 7:16 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 2, 2013.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT
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Tuesday, March 5, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisor Mar was noted absent. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Kim, moved to approve the Board Meeting Minutes of January 29, 2013. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

130017 [Appropriating $6,589,395 for the Department of Juvenile Probation, the Department of Public Health, the Human Services Agency, and the Art Commission - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $6,589,395 of State Revenue Loss Reserve to fund the de-appropriation of State revenue of $534,406 at the Department of Public Health and appropriating uses of $50,000 to the Department of Juvenile Probation, $2,424,528 to the Department of Public Health, $3,180,461 to the Human Services Agency, and $400,000 to the Art Commission in FY2012-2013. (Fiscal Impact)

Ordinance No. 035-13

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

130019 [Planning Code, Zoning Map - Central Subway Tunnel Boring Machine Extraction Site Special Use District]
Sponsor: Chiu
Ordinance amending the Planning Code, by adding Section 249.70, to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street, to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps HT 01 and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; adopting findings, including environmental findings, and findings of consistency with the General Plan.

Ordinance No. 033-13

FINALLY PASSED

Recommendations of the Rules Committee

130034 [Settlement of Lawsuit - Mary Bull - $465,000]
Ordinance authorizing settlement of a lawsuit filed by Mary Bull, Lisa Giampaoli, Alexis Bronson, Micky Mangosing, Leigh Fleming, Laura Timbrook, J. Quechan Allen, Diana Smith, Michele De Ranleau, Michael Marron, Steve Noh, Sister Bernie Galvin, and Brian Vowell against the City and County of San Francisco for an amount not to exceed $465,000; the lawsuit was filed on April 23, 2003, in United States District Court, Northern District of California, Case No. C03-1840 (CRB); entitled Mary Bull et al. v. City and County of San Francisco. (City Attorney)

Ordinance No. 036-13

FINALLY PASSED

130086 [Administrative Code - Dissolving Neighborhood Community Justice Task Force]
Sponsor: Chiu
Ordinance amending the Administrative Code, by repealing Article VIII, to dissolve the Neighborhood Community Justice Task Force.

PASSED, ON FIRST READING

130097 [Dissolving Area Plan Infrastructure Finance Committee]
Resolution repealing Resolution No. 432-10 to dissolve the Area Plan Infrastructure Finance Committee. (Clerk of the Board)

Resolution No. 064-13

ADOPTED

120349 [Appointments, San Francisco Health Authority - Susan Currin, Allen Meyer, Elena Tinloy, and Eddie Chan]

Motion appointing Susan Currin, Allen Meyer, and Elena Tinloy, terms ending January 15, 2015, and Eddie Chan, term ending January 15, 2016, to the San Francisco Health Authority. (Clerk of the Board)

Motion No. M13-036

APPROVED

130141 [Appointments, Bicycle Advisory Committee - Edward Nicolson and Morgan Fitzgibbons]

Motion appointing Edward Nicolson and Morgan Fitzgibbons, terms ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Motion No. M13-037

APPROVED

130143 [Appointments, Food Security Task Force - Leo O'Farrell, Linda Lau, Maria LeClair, Paula Jones, Jessie Mandle, and Mei Ling Hui]

Motion appointing Leo O'Farrell, Linda Lau, Maria LeClair, Paula Jones, Jessie Mandle, and Mei Ling Hui, for indefinite terms, to the Food Security Task Force, residency requirements waived. (Clerk of the Board)

Motion No. M13-038

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

Supervisor Mar was noted present at 2:11 p.m.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

121124 [Administrative Code - Compensation For City Employees With Same-Sex Spouses Or Same-Sex Domestic Partners to Offset Federal Income Tax on Health Insurance Premiums]

Sponsors: Farrell; Campos, Chu, Wiener, Avalos, Mar, Breed, Chiu, Kim and Cohen

Ordinance amending the Administrative Code, by adding Sections 16.704 and 16.29-7.6, to mandate payments to City employees to offset federal income taxation on health insurance premiums for their same-sex spouses or same-sex domestic partners and to exclude such payments from the computation of compensation under the San Francisco Employees' Retirement System.
(Fiscal Impact)

Supervisors Kim and Cohen requested to be added as co-sponsors.

Ordinance No. 034-13

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130020 [Contract Modification - Children's Council of San Francisco Management of Preschool Subsidies - Not to Exceed $40,730,000]

Sponsor: Mayor

Resolution approving the contract modification with the Children's Council of San Francisco to manage preschool subsidies to eligible children of the City for an amount not to exceed $40,730,000 for the period of July 1, 2012, through June 30, 2015.
(Fiscal Impact)

Resolution No. 061-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130046 [Accept and Expend Gift - Knight Living Trust - $500,000]
Sponsor: Yee
Resolution authorizing the Department of Public Health, Laguna Honda Hospital, and Rehabilitation Center to retroactively accept and expend a gift of $500,000 to the Laguna Honda Gift Fund from the Knight Living Trust for the period of July 1, 2012, through June 30, 2032.

Resolution No. 062-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130088 [Accept and Expend Grant - Improving Early Learning and Development Programs for Young Children - $1,269,400]
Sponsor: Mayor
Resolution authorizing the Children and Families Commission to retroactively accept and expend a grant in the amount of $1,269,400 from the United States Department of Education through the California Department of Education to support an Early Learning Quality Improvement System for the period of July 1, 2012, through December 31, 2015.
(Fiscal Impact)

Resolution No. 063-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130124 [Correcting the Accept and Expend Grant Amount in Resolution No. 384-12 - Compensation for Crime Victims - $2,142,414]
Sponsor: Avalos
Resolution correcting the not to exceed amount in Resolution No. 384-12, a resolution retroactively authorizing the Office of the District Attorney to accept a grant from the California Victim Compensation and Government Claims Board for a project entitled "Joint Powers Agreement," from $714,138 to $2,142,414 for the period of July 1, 2012, through June 30, 2015.

Resolution No. 066-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130147 [Accept and Expend Grant - FY2009 Buffer Zone Protection Program - $282,506]
Sponsor: Mayor
Resolution amending Resolution No. 529-11 to retroactively increase FY2009 Buffer Zone Protection Program grant funds from $199,820 to $282,506 for the period of April 1, 2009, through March 31, 2013.

Resolution No. 058-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the City Operations and Neighborhood Services Committee

130039 [Police Code - Reporting Ammunition Sales of 500 or More Rounds]
Sponsors: Mayor; Cohen and Campos
Ordinance amending the Police Code, Section 615, to require firearms dealers to report to the Chief of Police the sale of 500 or more rounds of ammunition in a single transaction.

Supervisor Campos requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130040 [Police Code - Possession or Sale of Law Enforcement or Military Ammunition]
Sponsors: Mayor; Cohen, Breed and Campos
Ordinance amending the Police Code, by adding Section 618, to prohibit the possession or sale of certain ammunition, including black talon ammunition and ammunition intended exclusively for law enforcement and military purposes.

Supervisors Breed and Campos requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120254 [Liquor License - 1425 Folsom Street]
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Jordan Muir Lewis and Case Aynesly Lewis for Folsom Street Foundry, located at 1425 Folsom Street (District 6), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (City Operations and Neighborhood Services Committee)

Resolution No. 060-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120067 [Liquor License Transfer - 135 Powell Street]
Resolution determining that the transfer of a Type 21 off-sale general license from 345 Eddy Street to 135 Powell Street (District 3), to Daniel J. Kramer of Haas Najarian, LLP, for Walgreens Co., dba Walgreens, will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Resolution be AMENDED on Page 3, beginning on Line 1, by adding 'WHEREAS, After working with the Board of Supervisors, Walgreens agreed to purchase two liquor licenses, one in the Tenderloin and one from a premises located in a census tract with undue concentration in either District 3 or District; and WHEREAS, Walgreens also agreed to additional voluntary conditions as described in a letter included in this file and dated February 21, 2013, from the law firm Strike & Techel;'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu requested to be added as sponsor.

Resolution No. 059-13

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130098 [Accept and Expend Grant - Sloat Boulevard Pedestrian Safety Improvements Project - $797,000]

Sponsor: Yee

Resolution authorizing the Department of Public Works to retroactively accept and expend a Federal grant in the amount of $797,000 from the Federal Highway Administration for the Sloat Boulevard Pedestrian Safety Improvements Project for a period of January 2013 through December 2016.

Resolution No. 065-13

ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

Supervisor Breed Excused from Voting

Supervisor Farrell, seconded by Supervisor Wiener, moved that Supervisor Breed be excused from voting on File No. 130139. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Excused: 1 - Breed

130139 [Appointment, Golden Gate Bridge, Highway and Transportation District - Supervisor London Breed]

Motion appointing Supervisor London Breed, term ending January 31, 2015, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

Motion No. M13-039

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Excused: 1 - Breed

130140 [Reappointment, Municipal Transportation Agency Board of Directors - Tom Nolan]

Motion confirming the Mayor's reappointment of Tom Nolan, term ending March 1, 2017, to the Municipal Transportation Agency Board of Directors. (Mayor)

Motion No. M13-040

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Chiu, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to members of the Bay Area Air Quality Management Association, and honorees of the Great Race for Clean Air Campaign, in recognition of their accomplishments and continued community support.

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to David Chan, Public Safety Coordinator, SF SAFE, in recognition of his years of service on the occasion of his retirement. Supervisors Mar, Avalos, Tang, Cohen, Police Chief Suhr, and Deputy Police Chief Biel shared in this commendation.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Mario Yedidia, Director, Youth Commission, in recognition of his years of service during his tenure with the City and County of San Francisco. Supervisors Chiu, Avalos, Campos, Wiener, Mar, Yee, Cohen, and Clerk of the Board Calvillo, shared in this commendation.

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Charles Gallman of the Office of Citizen Complaints in recognition of 25 years of service upon his retirement. Office of Citizen Complaints Executive Director Hicks and Police Chief Suhr shared in this commendation.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
Darian Smith; expressed concerns relating to standard of living for the blind community.
James Chaffee; expressed concerns relating to the SF Public Library.
Male Speaker; expressed various concerns relating to taxi services and mandates.
Peter Warfield; expressed concerns relating to the SF Public Library.
Cottie Hawkins; expressed concerns relating to gun violence.
Mark Rugger; expresed concerns relating to taxi services and mandates.
Male Speaker; expressed concerns relating to taxi services and mandates.
Mary Dwyer; expressed concerns relating to taxi services and mandates.
Gary Cornhole; expressed concerns relating to taxi services and mandates.
Joe Herisno; expressed concerns relating to taxi services and mandates.
John DiDonna; shared in poem certain concerns with the Board.
Walter Paulson; shared in song certain concerns with the Board.
Douglas Yep; expressed various concerns.
John Mburu Njoroge; expressed various religious concerns.
Otto Duffy; expressed concerns relating to land use matters.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.
Male Speaker; expressed various religious concerns.
Male Speaker; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130174 [Approval of a 60 Day Extension for Planning Commission Review of Conversion, Demolition, Merger, and Conformity of Residential Uses (File No. 130041)]
Sponsor: Avalos

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130041) amending the Planning Code by repealing Sections 790.84, 790.86, 890.84, and 890.86 and amending Section 317 and various other sections to: 1) revise the criteria for the residential demolition, conversion and merger; 2) standardize definitions of residential demolition, conversion and merger across various use districts; 3) permit the enlargement or alteration of dwelling units which are nonconforming as to density in districts where dwelling units are principally permitted if there is no increase in nonconformity of height, bulk, or required rear yards or setbacks; 4) permit alterations to nonconforming uses or noncomplying structures to comply with disabled access requirements or to provide secure bicycle parking; 5) establish a strong presumption in favor of preserving dwelling units in enforcement of requirements for nonconforming uses, structures and lots; and 6) making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Resolution No. 067-13

ADOPTED

130184 [Approval of a 60 Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No. 111278)]
Sponsor: Cohen
Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 111278) that would amend the Planning Code, by adding Section 249.67, and amending Section Map SU08 of the Zoning Map, to establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Resolution No. 068-13

ADOPTED

130189 [Urging the California State Legislature to Pass Senate Bill 219]
Sponsors: Mar; Yee
Resolution urging the California State Legislature to Pass Senate Bill 219 to permanently extend double fine zones along State Highway Route 1 between Junipero Serra Boulevard and Lake Street and State Highway Route 101 between Golden Gate Avenue and Lyon Street.

Resolution No. 069-13

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130219 [Rosa Parks Japanese Bilingual Bicultural Program Day - March 9, 2013]
Sponsors: Mar; Chiu and Campos
Resolution declaring March 9, 2013, as Rosa Parks Japanese Bilingual Bicultural Program Day; and recognizing the 40th anniversary of its founding.

Supervisors Chiu and Campos requested to be added as co-sponsors.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130219. There were no speakers. The President declared public comment closed.

Resolution No. 070-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

120814 [Planning Code, Zoning Map - Establishing the Fillmore Street Neighborhood Commercial District]
Sponsor: Breed
Ordinance amending the Planning Code to establish the Fillmore Street Neighborhood Commercial District (NCD) along Fillmore Street between Bush and McAllister Streets; amend various other sections to make conforming and other technical changes; amending the Zoning Map to add the Fillmore Street NCD; and adopting environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

07/31/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/30/2012.

08/10/12; REFERRED TO DEPARTMENT.

10/30/12; REMAIN ACTIVE.

01/15/13; REMAIN ACTIVE.

03/05/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

120883 [Planning Code - Establishing a Program to Monitor Student Housing Conversions]
Sponsors: Kim; Wiener
Ordinance amending the Planning Code, by adding Section 102.36.1, to establish an annual monitoring requirement for student housing conversions; and making findings, including environmental findings, and findings of consistency with the priority policies of Planning Code, Section 101.1, and the General Plan.

09/04/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/4/2012.

09/17/12; REFERRED TO DEPARTMENT.

09/20/12; RESPONSE RECEIVED.

01/15/13; REMAIN ACTIVE.

03/05/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

130062 [Planning, Administrative Codes, Zoning Map - Miscellaneous Technical Amendments, Fee Changes, Clarifications, and Corrections]
Sponsor: Tang
Ordinance amending the Planning and Administrative Codes to correct errors; make language revisions and updates; revise graphics to be consistent with text; amend fees to be charged for certain kinds of applications and appeals; clarify the meaning of certain Planning Code sections; amend the Zoning Map to remove the incorrect Chinese Hospital Special Use District designation from Assessor's Block No. 0192, Lot No. 041; and adopt findings, including findings under the California Environmental Quality Act, and Planning Code, Section 302, and findings of consistency with the General Plan and Planning Code, Section 101.1.

01/17/13; RECEIVED FROM DEPARTMENT.

01/29/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/28/2013.

02/14/13; NOTICED.

03/05/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

130180 [Planning Code - Pre-Application Meetings in Production/Distribution/Repair-1-B (Light Industrial Buffer) District]
Sponsor: Cohen
Ordinance amending the Planning Code, by adding Section 313, to require pre-application meetings for certain projects in the Product/Distribution/Repair -1-B (Light Industrial Buffer) District; and making environmental, General Plan, and Planning Code, Section 101(b), findings.

02/26/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/28/2013.

03/05/13; REFERRED TO DEPARTMENT.

03/05/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

130221 [Payment of Reward to Doe One - $250,000]
Sponsor: Mayor
Ordinance authorizing payment of a $250,000 reward to Doe One for supplying information leading to the arrest and conviction of the perpetrator who murdered Willie Allen.
(Fiscal Impact)

03/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130222 [Police Code - Membership in National Rifle Association]
Sponsors: Avalos; Chiu, Campos and Yee
Ordinance amending the Police Code to rescind the authorization for the Police Department to be a member of the National Rifle Association or to collect or expend tournament fees for the National Rifle Association.

03/05/13; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 4/4/2013.

130224 [Agreement - Pacific Gas and Electric Company - University Mound Reservoir Project - $86,765.18]
Sponsor: Campos
Ordinance authorizing the Public Utilities Commission General Manager to enter into a long-term interconnection agreement with Pacific Gas and Electric Company to connect a small renewable energy project at University Mound Reservoir to the electric system; and waiving specific requirements of the Administrative Code and the Environment Code in the best interests of the City for an amount of $86,765.18 with a duration of ten years and automatic renewal every year thereafter.

03/05/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 4/4/2013.

130225 [Administrative Code - Bayview Hunters Point Citizens Advisory Committee]
Sponsor: Cohen
Ordinance amending the Administrative Code to establish the Bayview Hunters Point Citizens Advisory Committee to provide policy advice to the City and County of San Francisco on planning and land use matters for Zone 2 of the Bayview Hunters Point Redevelopment Project Area.

03/05/13; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

130226 [Park Code - South of Market West Skatepark and Dog Park]
Sponsor: Kim
Ordinance amending the Park Code to designate portions of the property (Assessor's Block No. 3513, Lot Nos. 071 and 074) leased by the City and County of San Francisco from the State of California, immediately under and adjacent to the portions of the Central Freeway located between Otis and Stevenson Streets and between Valencia and Stevenson Streets and partially bounded by Duboce Avenue and referred to as "South of Market (SoMa) West Skatepark and Dog Park," as a "park" within the meaning of the Park Code and to authorize the Recreation and Park Department's Park Patrol to patrol those portions of the leased property; and making environmental findings, and findings of consistency with the General Plan.

03/05/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/4/2013.

Resolutions

130227 [Lease - Van Ness Post Center, LLC - Law Library - 1200 Van Ness Avenue]
Sponsor: Mayor
Resolution finding that 20,000 net rentable square feet is suitable and sufficient for the Law Library; authorizing the Director of Property to enter into a lease with Van Ness Post Center, LLC, for the Law Library at 1200 Van Ness Avenue; finding that the proposed relocation of the Law Library to such space is in conformance with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing the Director of Property to find alternative comparable space if a lease with Van Ness Post Center, LLC, cannot be finalized.
(Fiscal Impact)

03/05/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130228 [Ten-Year Capital Expenditure Plan - FY2013-2014 through FY2022-2023]
Sponsors: Mayor; Chiu
Resolution adopting the City's Ten-Year Capital Expenditure Plan for FY2013-2014 through FY2022-2023 pursuant to Administrative Code, Section 3.20.

03/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130229 [5-Year Financial Plan - FY2013-2014 through FY2017-2018]
Sponsors: Mayor; Farrell, Chiu and Cohen
Resolution adopting the City's 5-Year Financial Plan for FY2013-2014 through FY2017-2018 pursuant to Charter, Section 9.119.

03/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130230 [5-Year Information and Communication Technology Plan - FY2013-2014 through FY2017-2018]
Sponsors: Mayor; Chiu
Resolution adopting the City's 5-Year Information and Communication Technology Plan for FY2013-2014 through FY2017-2018 pursuant to Administrative Code, Section 22A.6.

03/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130232 [Term Sheet Endorsement - CPMC Development Agreement]
Sponsors: Mayor; Chiu, Farrell and Campos
Resolution endorsing a Term Sheet for revisions to a proposed development agreement with California Pacific Medical Center (CPMC) for CPMC's Long Range Development Plan, including new hospitals at the Cathedral Hill and St. Luke's Campuses, with any final development agreement subject to the approval of the Planning Commission, the Municipal Transportation Agency and the Board of Supervisors.

03/05/13; ASSIGNED to Board of Supervisors.

130233 [Comprehensive Immigration Reform Including Same-Sex Couples]
Sponsors: Campos; Avalos, Wiener and Chiu
Resolution urging Congress to pass an inclusive comprehensive immigration reform that includes all families, including same-sex couples.

03/05/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

130234 [Ground Lease Amendment - 255 Broadway]
Sponsor: Chiu
Resolution approving and authorizing the Mayor's Office of Housing, as Successor Housing Agency to the Redevelopment Agency, to amend an existing term ground lease with Broadway Sansome Associates, L.P., a California limited partnership, for the development and operation of affordable housing on certain real property located at 255 Broadway and making findings that the amendments are in conformance with California Environmental Quality Act, the City's General Plan, and the priority policies of Planning Code, Section 101.1.

03/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130235 [Urging the Municipal Transportation Agency to Implement a Full-Scale Bike Sharing Program by 2014]
Sponsors: Wiener; Chiu
Resolution urging the Municipal Transportation Agency to implement a full-scale bike sharing program by 2014.

03/05/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130236 [Honoring Leslie E. Wong]
Sponsor: Chiu
Resolution honoring San Francisco State University President Leslie E. Wong.

03/05/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130237 [Urging the California State Legislature to Pass Assembly Bill 1199]
Sponsors: Mar; Campos
Resolution urging the California State Legislature to pass Assembly Bill 1199 to create a smoothing formula for enrollment-related funding losses for any community college that is under severe sanction from accreditation agencies and is also suffering an enrollment decline.

03/05/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130238 [Arbor Week - March 7-14, 2013]
Sponsor: Wiener
Resolution celebrating the many benefits of the City's urban forest, declaring March 7, 2013, through March 14, 2013, as Arbor Week in the City and County of San Francisco.

03/05/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

130231 [Committee of the Whole - Term Sheet Endorsement - CPMC Development Agreement]
Sponsors: Chiu; Farrell and Campos
Motion directing the Board of Supervisors to hold a public hearing on March 12, 2013, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting a Resolution endorsing a Term Sheet for revisions to a proposed development agreement with California Pacific Medical Center (CPMC) for CPMC's Long Range Development Plan, including new hospitals at the Cathedral Hill and St. Luke's Campuses, with any final development agreement subject to the approval of the Planning Commission, the Municipal Transportation Agency, and the Board of Supervisors.

03/05/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

130223 [Public Hearing - Term Sheet Endorsement - CPMC Development Agreement]
Hearing of persons interested in or objecting to the proposed Resolution endorsing a Term Sheet for revisions to a proposed development agreement with California Pacific Medical Center (CPMC) for CPMC's Long Range Development Plan, including new hospitals at the Cathedral Hill and St. Luke's Campuses, with any final development agreement subject to the approval of the Planning Commission, the Municipal Transportation Agency and the Board of Supervisors. (Clerk of the Board)

03/05/13; ASSIGNED to Board of Supervisors.

130239 [Hearing - Federal Sequestration Effect on the City's Budget and Services Capabilities]
Sponsor: Farrell
Hearing on how the federal sequestration will effect the City's budget and services capabilities.

03/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130240 [Hearing - Office of the District Attorney Budget Update for FY2013-2014 and FY2014-2015]
Sponsor: Farrell
Hearing to receive an update on the Office of the District Attorney's budget for FY2013-2014 and FY2014-2015.

03/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130241 [Hearing - Office of the Public Defender Budget Update for FY2013-2014 and FY2014-2015]
Sponsor: Farrell
Hearing to receive an update on the Office of the Public Defender's budget for FY2013-2014 and FY2014-2015.

03/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130164 [Settlement of Lawsuit - Mary Allen, et al. - $40,000]

Ordinance authorizing settlement of the lawsuit filed by Mary Allen against the City and County of San Francisco for $40,000; the lawsuit was filed on October 22, 2010, in San Francisco Superior Court, Case No. CGC-10-504814; entitled Mary Allen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement are dismissal with prejudice and a waiver of any and all monetary sanctions. (City Attorney)

02/20/13; RECEIVED FROM DEPARTMENT.

03/05/13; RECEIVED AND ASSIGNED to Rules Committee.

130165 [Settlement of Lawsuits - Greenwich Associates LLC and Octavia Associates LLC - $360,632.36]

Ordinance authorizing settlement of the lawsuits filed by Greenwich Associates LLC and Octavia Associates LLC against the City and County of San Francisco for $360,632.36; the lawsuits were filed on September 26, 2012, in San Francisco County Superior Court, Case Nos. CGC-12-524729 and CGC-12-524730; entitled Greenwich Associates LLC v. City and County of San Francisco, et al. and Octavia Associates LLC v. City and County of San Francisco, et al. (City Attorney)

02/20/13; RECEIVED FROM DEPARTMENT.

03/05/13; RECEIVED AND ASSIGNED to Rules Committee.

130166 [Settlement of Lawsuit - Regina Potascher - $87,500]

Ordinance authorizing settlement of the lawsuit filed by Regina Potascher, by her conservator Kim Schwarcz against the City and County of San Francisco for $87,500; the lawsuit was filed on November 14, 2011, in San Francisco Superior Court, Case No. CGC-11-515780; entitled Regina Potascher, by her conservator Kim Schwarcz, et al. v. City and County of San Francisco, et al. (City Attorney)

02/20/13; RECEIVED FROM DEPARTMENT.

03/05/13; RECEIVED AND ASSIGNED to Rules Committee.

130167 [Settlement of Lawsuit - Jane Martin, et al. - $1,748,840.74]

Ordinance authorizing settlement of remaining claims in the lawsuit filed by various plaintiffs against the City and County of San Francisco for $1,748,840.74; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

02/25/13; RECEIVED FROM DEPARTMENT.

03/05/13; RECEIVED AND ASSIGNED to Rules Committee.

In Memoriam

Hanren Chang - Supervisor Tang

ADJOURNMENT

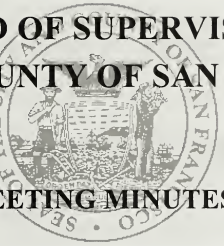
There being no further business, the Board adjourned at the hour of 4:55 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 9, 2013.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

APR - 7 2015

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, March 12, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of February 5, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

130242 [Formal Policy Discussions - March 12, 2013]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible question submitted by Supervisor representing District 4. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. In light of major upcoming and potential new projects in San Francisco that may bring job creation and spur economic development, such as America's Cup and the proposed Warriors arena, how do you plan on working with neighborhoods that are further in proximity to ensure that these economic benefits trickle down to all communities in San Francisco? (Supervisor Tang, District 4)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced question. Following public comment this matter was filed. No further action was taken.

DISCUSSED AND FILED

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

130039 **[Police Code - Reporting Ammunition Sales of 500 or More Rounds]**
Sponsors: Mayor; Cohen and Campos
Ordinance amending the Police Code, Section 615, to require firearms dealers to report to the Chief of Police the sale of 500 or more rounds of ammunition in a single transaction.

Ordinance No. 037-13

FINALLY PASSED

130040 **[Police Code - Possession or Sale of Law Enforcement or Military Ammunition]**
Sponsors: Mayor; Cohen, Breed and Campos
Ordinance amending the Police Code, by adding Section 618, to prohibit the possession or sale of certain ammunition, including black talon ammunition and ammunition intended exclusively for law enforcement and military purposes.

Ordinance No. 038-13

FINALLY PASSED

Recommendation of the Rules Committee

130086 **[Administrative Code - Dissolving Neighborhood Community Justice Task Force]**
Sponsor: Chiu
Ordinance amending the Administrative Code, by repealing Article VIII, to dissolve the Neighborhood Community Justice Task Force.

Supervisor Chiu requested to be added as sponsor.

Ordinance No. 039-13

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

120550 **[Affirming Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]**
Sponsors: Campos; Farrell and Chiu
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan.

Privilege of the floor was granted to Devyani Jain (Planning Department) who responded to questions raised throughout the discussion.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be AMENDED on Page 3, Line 19, by deleting 'June 12, 2012' and adding 'July 17, 2012 and March 12, 2013'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos requested to be added as sponsor; Supervisors Farrell and Chiu requested to be added as co-sponsors.

Motion No. M13-042

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120551 **[Reversing Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Privilege of the floor was granted to Devyani Jain (Planning Department) who responded to questions raised throughout the discussion.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120552 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]
Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Privilege of the floor was granted to Devyani Jain (Planning Department) who responded to questions raised throughout the discussion.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Referred from the Land Use and Economic Development Committee Without Recommendation

121168 [Street Encroachment - 54 Peralta Avenue]
Sponsor: Chiu
Resolution granting revocable permission to Aquilina Family 2001 Revocable Trust to occupy a portion of the public right-of-way to remove and reconstruct a portion of a City owned and maintained retaining wall to construct a concrete driveway ramp, with accessible transition slopes to conform to the existing sidewalk grade, that will provide vehicular access to a proposed new residence with a garage at 54 Peralta Avenue (Assessor's Block No. 5512, Lot No. 029), conditioned upon the payment of an annual assessment fee of $215; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

Resolution No. 073-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Budget and Finance Committee

121211 [Administrative Code - Rescinding Sunset in the San Francisco Bonding and Financial Assistance Program]
Ordinance amending the San Francisco Administrative Code, Section 14B.16, to rescind the sunset clause in the San Francisco Bonding and Financial Assistance Program, make technical amendments, and make environmental findings. (City Administrator)
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130117 [Appropriating $2,774,224 of Fee Revenue for the Planning Department - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $2,774,224 of fee revenue for the Planning Department in FY2012-2013 to reduce the backlog of planning cases and building permits requiring review, and funding the Permit and Project Tracking System, and Central Corridor Environmental Impact Report, including $1,672,224 to fund staff positions, $807,000 to fund office space reconfiguration, records and information technology improvements, and updated guidelines and procedures, $45,000 to fund training and configuration needs of the Permit and Project Tracking System, and $250,000 to fund the Central Corridor Environmental Impact Report.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130118 [Public Employment - Amendment to the Annual Salary Ordinance for Planning Department - FY2012-2013]

Sponsor: Mayor

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FY2012-2013) to reflect the addition of 8 positions (2.0 FTEs) Class 1404 (Clerk), 5275 (Planner Technician), 5277 (Planner I), 5278 (Planner II), 5291 (Planner III), and 5298 (Planner III - Environmental Review) in the Planning Department to focus on reducing the backlog of planning cases and building permits requiring review.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130120 [Accept and Expend Grant - Streetscape and Circulation Improvements - Folsom and Howard Streets - $200,000]

Sponsor: Mayor

Resolution authorizing the Planning Department to retroactively accept and expend a grant in the amount of $200,000 from the Metropolitan Transportation Commission for the inclusion of streetscape and circulation improvements on Folsom and Howard Streets between Second and Fifth Streets in the Central Corridor Draft Plan environmental analysis for the period of February 8, 2012, through July 31, 2014.

Resolution No. 074-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130122 [Accept and Expend Grant - Boeddeker and Promontory Parks Projects - $776,500]

Sponsors: Mayor; Cohen and Kim

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant in the amount of $776,500 from the California Department of Housing and Community Development for the Recreation and Park Department's Boeddeker Park Project ($450,000) and the Mayor's Office of Housing Promontory Park Project ($326,500) for the period of November 28, 2012, through June 30, 2016.

Resolution No. 075-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130142 [Appropriating $118,107 for the San Francisco Department on the Status of Women]

Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener, Campos and Yee

Ordinance appropriating $118,107 to the San Francisco Department on the Status of Women for FY2012-2013.

Supervisor Yee requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130178 [Accept and Expend Grant - CalRecycle Tire Derived Product Program - $150,000]

Sponsor: Farrell

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a CalRecycle Tire-Derived Product (TDP) Grant in the amount of $150,000 from the California Department of Resources Recycling and Recovery for the purchase of TDP materials for use at various City park sites for the period of June 1, 2011, through March 31, 2013. (Recreation and Park Department)

Resolution No. 071-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130190 [Multifamily Housing Revenue Obligations - 2175 Market Street Apartments - $30,000,000]

Sponsor: Wiener

Resolution authorizing the execution/issuance, sale and delivery of a multifamily mortgage revenue note and subordinate multifamily housing revenue bonds in an aggregate principal amount not to exceed $30,000,000 (together, the "Obligations") for the purpose of providing financing for the acquisition and construction of an 88-unit multifamily residential rental housing development known as the 2175 Market Street Apartments; approving the form of and authorizing the execution of a funding loan agreement and borrower loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a subordinate trust indenture providing the terms and conditions of the subordinate bonds; approving the form of and authorizing the execution of a subordinate loan agreement relating to the subordinate bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the Obligations and the project; approving modifications, changes and additions to the documents; granting general authority to City officials to take actions necessary to implement this resolution; and ratifying and approving any action heretofore taken in connection with the Obligations and the project.

Resolution No. 076-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130191 [Apply For - CalHome Program]
Sponsor: Mayor
Resolution authorizing the Mayor's Office of Housing to submit an application to the California Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

Resolution No. 072-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

130029 [Building Code - Seismic Standards]
Sponsor: Chiu
Ordinance amending the Building Code, and adding various sections, concerning seismic standards and making conforming changes; making environmental findings; making findings pursuant to California Health and Safety Code, Section 17958.5; and directing the Clerk of the Board to forward this legislation to the California Building Standards Commission.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Referred from the Land Use and Economic Development Committee Without Recommendation

130001 [General Plan Amendments - Western South of Market Area Plan]
Ordinance amending the General Plan, by adding the Western South of Market (SoMa) Area Plan, generally bounded on its western portion by 7th Street, Mission Street, Division Street, and Bryant Street, and on its eastern portion by 7th Street, Harrison Street, 4th Street, and Townsend Street; making conforming amendments to the Housing, Commerce and Industry, and Recreation and Open Space Elements, the Land Use Index, and the SoMa, East SoMa, Mission, Showplace Square/Potrero, and Central Waterfront Area Plans; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. (Planning Department)

Privilege of the floor was granted to Corey Teague (Planning Department) who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee
Noes: 1 - Wiener

130002 [Planning Code - Implementing the Western South of Market Area Plan]
Sponsor: Kim

Ordinance amending the Planning Code, by adding and amending various sections to implement the goals, objectives, and policies of the Western South of Market Area Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area; and making findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Privilege of the floor was granted to Corey Teague (Planning Department) who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee
Noes: 1 - Wiener

130003 [Zoning Map - Height and Bulk Revisions to the Western South of Market Area Plan]
Sponsor: Kim

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, and HT08 to revise use districts and height and bulk districts within the Western South of Market Plan Area; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and Planning Code, Section 101.1.

Privilege of the floor was granted to Corey Teague (Planning Department) who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee
Noes: 1 - Wiener

130004 [Administrative Code - Adding Western South of Market Area Plan to Eastern Neighborhoods Area Plan Monitoring Program]
Sponsor: Kim

Ordinance amending the Administrative Code, Section 10E.2, to integrate the Western South of Market (SoMa) Area Plan into the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Western SoMa Area Plan and inclusion of the Western SoMa Area Plan into the Eastern Neighborhoods reporting requirement, Eastern Neighborhoods capital expenditures plan, and the Eastern Neighborhoods Citizens Advisory Committee; and making environmental findings.

Privilege of the floor was granted to Corey Teague (Planning Department) who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee
Noes: 1 - Wiener

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Campos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to the Parent Teacher Association of the Argonne Elementary School in recognition of their accomplishments and continued community support.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

130223 [Public Hearing - Term Sheet Endorsement - CPMC Development Agreement]
Hearing of persons interested in or objecting to the proposed Resolution endorsing a Term Sheet for revisions to a proposed development agreement with California Pacific Medical Center (CPMC) for CPMC's Long Range Development Plan, including new hospitals at the Cathedral Hill and St. Luke's Campuses, with any final development agreement subject to the approval of the Planning Commission, the Municipal Transportation Agency and the Board of Supervisors. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to the endorsement of a Term Sheet for revisions to a proposed Development Agreement with California Pacific Medical Center (CPMC) as referenced in File No. 130232. Ken Rich (Office of Economic and Workforce Development), Dr. Warren Browner (California Pacific Medical Center), Barbara Garcia, Director (Department of Public Health), Rhonda Simmons (Office of Economic and Workforce Development), and Olson Lee, Director (Mayor's Office of Housing), provided an overview of the matter and responded to questions raised throughout the discussion. Abdalla Megahed; Rachel Ebora; Emily Lee; Calvin Welch; Gordon Mar; Maelayne Morgan; Mark Aaronson; Manuel Flores; Benjamin Aune; Male Speaker; Hatty Lee; Lorenzo Listana; Ryan Thayer; John Gressman; Bernie Choden; Danny Campbell; Michael Lyon; Ken Barnes; Jennifer Warburg; Rebecca Rolfe; Dr. Ed Kersh; Dr. Karen Makely; Dr. Lisa Everson; Madelene Kopperdahl; Jane Sandoval; Barbara Savitz; Eileen Prendiville; Dina Hilliard; Michael Smithwick; James Tracy; Brian Sang; Female Speaker; Female Speaker; Rose Chung; Mark Sakioto; David Elliott Lewis; Keyal; spoke in support of the Term Sheet endorsement. Male Speaker; spoke neither in support nor against the Term Sheet endorsement. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

130232 [Term Sheet Endorsement - CPMC Development Agreement]
Sponsors: Mayor; Chiu, Farrell and Campos
Resolution endorsing a Term Sheet for revisions to a proposed development agreement with California Pacific Medical Center (CPMC) for CPMC's Long Range Development Plan, including new hospitals at the Cathedral Hill and St. Luke's Campuses, with any final development agreement subject to the approval of the Planning Commission, the Municipal Transportation Agency and the Board of Supervisors.

Resolution No. 077-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMITTEE REPORTS

Recommendations of the Rules Committee

130209 [Appointment, Historic Preservation Commission - Jonathan Pearlman]
Motion approving the Mayor's nomination for appointment of Jonathan Pearlman to the Historic Preservation Commission, Seat No. 3, for a term ending December 31, 2016. (Clerk of the Board)

Motion No. M13-043

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130210 [Appointment, Historic Preservation Commission - Ellen Johnck]
Motion approving the Mayor's nomination for appointment of Ellen Johnck to the Historic Preservation Commission, Seat No. 5, for a term ending December 31, 2016. (Clerk of the Board)

Motion No. M13-044

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

130146 [Health Code - Commercial Dog Walking Regulations]
Sponsor: Wiener
Ordinance amending the Health Code to correct numbering and clarify provisions of the Commercial Dog Walking Ordinance.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdalla Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Carol Sanders; expressed concerns regarding the anti-Arab and anti-Muslim bus advertisements.
Rachel Roberts; expressed concerns regarding the anti-Arab and anti-Muslim bus advertisements.
Male Speaker; expressed various religious concerns.
Female Speaker; expressed concerns regarding the anti-Arab and anti-Muslim bus advertisements.
Male Speaker; expressed concerns regarding the anti-Arab and anti-Muslim bus advertisements.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130236 [Honoring Leslie E. Wong]
Sponsor: Chiu
Resolution honoring San Francisco State University President Leslie E. Wong.

Resolution No. 078-13

ADOPTED

130237 [Urging the California State Legislature to Pass Assembly Bill 1199]
Sponsors: Mar; Campos
Resolution urging the California State Legislature to pass Assembly Bill 1199 to create a smoothing formula for enrollment-related funding losses for any community college that is under severe sanction from accreditation agencies and is also suffering an enrollment decline.

Resolution No. 079-13

ADOPTED

130238 [Arbor Week - March 7-14, 2013]
Sponsor: Wiener
Resolution celebrating the many benefits of the City's urban forest, declaring March 7, 2013, through March 14, 2013, as Arbor Week in the City and County of San Francisco.

Resolution No. 080-13

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Campos requested that File No. 130231 be severed so that it may be considered separately.

130231 [Committee of the Whole - Term Sheet Endorsement - CPMC Development Agreement]

Sponsors: Chiu; Farrell and Campos

Motion directing the Board of Supervisors to hold a public hearing on March 12, 2013, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting a Resolution endorsing a Term Sheet for revisions to a proposed development agreement with California Pacific Medical Center (CPMC) for CPMC's Long Range Development Plan, including new hospitals at the Cathedral Hill and St. Luke's Campuses, with any final development agreement subject to the approval of the Planning Commission, the Municipal Transportation Agency, and the Board of Supervisors.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130231. There were no speakers. The President declared public comment closed.

Motion No. M13-041

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

111316 [Business and Tax Regulations Code - Excluding Stock-Based Compensation from Payroll Expense, Tax Years 2011 through 2017]
Sponsor: Chiu
Ordinance amending the Business and Tax Regulations Code, Article 12-A, Section 906.4, to clarify the amount of payroll expense tax attributable to stock-based compensation that a person may exclude from its payroll expense tax liability.
(Fiscal Impact)

12/12/11; REFERRED TO DEPARTMENT.

12/16/11; RESPONSE RECEIVED.

03/12/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/5/2012.

07/17/12; FILED PURSUANT TO RULE 5.37.

03/12/13; REACTIVATED PURSUANT TO RULE 3.42 to Government Audit and Oversight Committee.

130119 [Building Code - Mandatory Seismic Retrofit Program - Wood-Frame Buildings; Optional Evaluation Form Fee]
Sponsors: Mayor; Chiu, Wiener, Yee, Farrell, Breed, Mar and Tang
Ordinance amending the Building Code to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories or two stories over a basement or underfloor area that has any portion extending above grade, and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

02/05/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/7/2013.

02/19/13; REFERRED TO DEPARTMENT.

02/20/13; RESPONSE RECEIVED.

02/25/13; RESPONSE RECEIVED.

02/26/13; NOTICED.

03/12/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

130248 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice]
Sponsor: Kim
Draft Ordinance amending Administrative Code, Chapter 31, to provide for appeals to the Board of Supervisors of certain environmental documents and determinations under the California Environmental Quality Act, to clarify procedures, and to provide public notice of environmental documents and determinations.

03/12/13; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Land Use and Economic Development Committee.

130251 [Public Works Code - Public Improvements as Gifts]
Sponsors: Wiener; Yee
Ordinance amending the Public Works Code, by adding Section 791, to allow the Director of the Department of Public Works, subject to specified requirements, to accept certain public improvements as public gifts and dedicate such improvements to public use; and making environmental findings.

03/12/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/11/2013.

130252 [Administrative Code - Street Design Review Committee]
Sponsors: Wiener; Yee
Ordinance amending the Administrative Code, by adding Section 98.2, to establish a Street Design Review Committee.

03/12/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/11/2013.

130253 [Fire Code - Fire Apparatus Access Roads]
Sponsors: Wiener; Yee
Ordinance amending the Fire Code, Chapter 5, Section 503.4, to clarify what does not constitute an obstruction of a Fire Apparatus Access Road.

03/12/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/11/2013.

Resolutions

130254 [Lease Financing for Improvements - Moscone Convention Center]
Sponsor: Kim
Resolution providing for the sale of certificates of participation evidencing undivided, proportionate interests in the right to receive certain rental payments to be made by the City and County of San Francisco under a Lease Agreement to finance capital projects at the Moscone Convention Center; providing for the sale of the Certificates by competitive sale; approving the form and publication of an Official Notice of Sale and a Notice of Intention to Sell the Certificates; approving the form of a Preliminary Official Statement and the form and execution of an Official Statement relating to the sale of the Certificates; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the execution, sale, and delivery of the Certificates; approving modifications to documents; and ratifying previous actions taken in connection therewith.
(Fiscal Impact)

03/12/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130255 [Urging the Public Utilities Commission, Department of Public Works, Municipal Transportation Agency, and Planning Department to Ensure the Coordination of Street, Transit, and Utility Infrastructure]
Sponsors: Wiener; Yee
Resolution urging the Public Utilities Commission, Department of Public Works, Municipal Transportation Agency, and Planning Department to develop a clear policy for reviewing street improvement projects that overlap the jurisdiction of various agencies and for those agencies to expeditiously modernize codes, standards, regulations, and other guidelines to ensure that the City's collective public policy interests are advanced.

03/12/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130256 [Urging the California State Legislature to Adopt Legislation Allowing Local Jurisdictions Greater Flexibility to Amend the Fire Code]
Sponsors: Wiener; Yee
Resolution urging the California State Legislature to adopt legislation allowing local jurisdictions flexibility to amend local fire code street width standards in order to maximize pedestrian and bicyclist safety goals.

03/12/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130257 [Anti-Arab and Anti-Muslim Bus Advertisements]
Sponsors: Chiu; Avalos, Breed, Campos, Cohen, Kim, Mar and Yee
Resolution standing with Muslim and Arab communities in the face of anti-Arab and anti-Muslim bus advertisements.

03/12/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130258 [Approval of a 60 Day Extension for Planning Commission Review of Conversion of Student Housing Monitoring (File No. 120883)]
Sponsor: Kim
Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120883) amending the Planning Code, by adding Section 102.36.1, to establish an annual monitoring requirement for Student Housing conversions; to require a posting to announce that the report is available for public review; and to provide an enforcement mechanism for failure to submit the annual report; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

03/12/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

130259 [Hearing - 8 Washington Proposed Project Potential Impact on Nearby Assets]
Sponsor: Chiu
Hearing on the potential impacts of the proposed 8 Washington project on nearby assets, including the North Force Main, of the Public Utilities Commission.

03/12/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

130071 [Settlement of Lawsuit - Espinoza (named in the complaint as Carlos Espinosa) - $95,000]

Ordinance authorizing settlement of the lawsuit filed by Carlos Cadena-Espinoza (named in the complaint as Carlos Espinosa) and Noemi Gereda-Cerrato against the City and County of San Francisco for $95,000; the lawsuit was filed on January 6, 2011, in the Superior Court, Case No. CGC-11-507063; and removed on May 9, 2011, to the United States District Court - Northern District of California, Case No. 11-cv-02282 JSW; entitled Carlos Espinosa, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

02/25/13; RECEIVED FROM DEPARTMENT.

03/12/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

130220 [Settlement of Claim - Roman Carrasco - $42,000]

Resolution approving the settlement of the unlitigated claim filed by Roman Carrasco against the City and County of San Francisco for $42,000; claim was filed on August 1, 2012. (City Attorney's Office)

02/25/13; RECEIVED FROM DEPARTMENT.

03/12/13; RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Avalos
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation that it shall be the policy of the City and County of San Francisco to eliminate any race or gender pay inequity due to occupational segregation.

The Civil Service Commission shall conduct a pay equity survey. This survey shall be conducted in accordance with the City and County's historic study on pay equity, using set criteria to determine comparable classifications. This survey shall use best available data to determine City and County classifications disproportionately occupied by people of color or women. These classifications shall be deemed "pay equity" classifications. The survey shall also determine City and County classifications underrepresented by people of color or women. These classifications shall be deemed "underrepresented" classifications. Classifications shall be considered either "pay equity" or "underrepresented" in relation to the demographics of the City and County's overall workforce. "Pay equity" classifications should be compared to comparable "underrepresented" classifications to determine inequity in pay. The Civil Service Commission shall complete this survey and transmit it to the Mayor, Department of Human Resources, and Board of Supervisors by June 30, 2014, and shall update the survey on or before June 30th of each following year.

The City shall make "pay equity" adjustments to "pay equity" classifications whose base pay is less than 95% of comparable "underrepresented" classifications at the top step, in order to bring base wages in line. These adjustments can be made incrementally and shall never exceed 5% of base wage in any given fiscal year. When a previous year's 9-month Budget Status Report issued by the Office of the Controller projects a budget deficit for that year, the City is not required to make any "pay equity" adjustment in that year. "Pay equity" adjustments should be made by the City and County independent of the collective bargaining process.

Base pay of "pay equity" classifications shall not be reduced due to "market-based salary surveys" or like mechanisms that compare "pay equity" classification to jurisdictions or employers that have not corrected for pay inequality based on race and class.

In Memoriams

Geraldine "Gerry" Meister - Entire Board
Pastor Rance Whiteside - Supervisor Campos

ADJOURNMENT

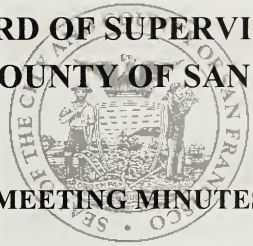
There being no further business, the Board adjourned at the hour of 6:20 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 16, 2013.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT
APR - 7 2015
SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, March 19, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Jane Kim, Eric Mar, Katy Tang, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, Supervisors Farrell and Yee were noted absent. There was a quorum.

Supervisors Farrell and Yee Excused from Voting

Supervisor Campos, seconded by Supervisor Wiener, moved that Supervisors Farrell and Yee be excused from voting. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of February 12, 2013. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

121211 [Administrative Code - Rescinding Sunset in the San Francisco Bonding and Financial Assistance Program]
Ordinance amending the San Francisco Administrative Code, Section 14B.16, to rescind the sunset clause in the San Francisco Bonding and Financial Assistance Program, make technical amendments, and make environmental findings. (City Administrator)
(Fiscal Impact)

Ordinance No. 040-13

FINALLY PASSED

130117 [Appropriating $2,774,224 of Fee Revenue for the Planning Department - FY2012-2013]
Sponsor: Mayor
Ordinance appropriating $2,774,224 of fee revenue for the Planning Department in FY2012-2013 to reduce the backlog of planning cases and building permits requiring review, and funding the Permit and Project Tracking System, and Central Corridor Environmental Impact Report, including $1,672,224 to fund staff positions, $807,000 to fund office space reconfiguration, records and information technology improvements, and updated guidelines and procedures, $45,000 to fund training and configuration needs of the Permit and Project Tracking System, and $250,000 to fund the Central Corridor Environmental Impact Report.

Ordinance No. 046-13

FINALLY PASSED

130118 [Public Employment - Amendment to the Annual Salary Ordinance for Planning Department - FY2012-2013]
Sponsor: Mayor
Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FY2012-2013) to reflect the addition of 8 positions (2.0 FTEs) Class 1404 (Clerk), 5275 (Planner Technician), 5277 (Planner I), 5278 (Planner II), 5291 (Planner III), and 5298 (Planner III - Environmental Review) in the Planning Department to focus on reducing the backlog of planning cases and building permits requiring review.

Ordinance No. 047-13

FINALLY PASSED

130142 [Appropriating $118,107 for the San Francisco Department on the Status of Women]
Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener, Campos and Yee
Ordinance appropriating $118,107 to the San Francisco Department on the Status of Women for FY2012-2013.

Ordinance No. 048-13

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

130029 [Building Code - Seismic Standards]
Sponsor: Chiu
Ordinance amending the Building Code, and adding various sections, concerning seismic standards and making conforming changes; making environmental findings; making findings pursuant to California Health and Safety Code, Section 17958.5; and directing the Clerk of the Board to forward this legislation to the California Building Standards Commission.

Ordinance No. 045-13

FINALLY PASSED

130146 [Health Code - Commercial Dog Walking Regulations]
Sponsor: Wiener
Ordinance amending the Health Code to correct numbering and clarify provisions of the Commercial Dog Walking Ordinance.

Ordinance No. 049-13

FINALLY PASSED

Recommendations of the Rules Committee

130111 [Settlement of Lawsuit - Derek Kerr, M.D. - $750,000]
Ordinance authorizing settlement of the lawsuit filed by Derek Kerr, M.D., against the City and County of San Francisco for $750,000; the lawsuit was filed on November 16, 2010, in United States District Court of California, Case No. C-10-5733 CW; entitled Derek Kerr, M.D. v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130112 [Settlement of Lawsuit - Rissa Kossen, et al. - $27,500]
Ordinance authorizing settlement of the lawsuit filed by Rissa Kossen and Cameron Kossen against the City and County of San Francisco for $27,500; the lawsuit was filed on December 1, 2011, in San Francisco County Superior Court, Case No. CGC-11-517538; entitled Rissa Kossen and Cameron Kossen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement is full payment of San Francisco General Hospital's lien. (City Attorney)

PASSED ON FIRST READING

130113 [Settlement of Lawsuit - Ana Guevara - $75,000]
Ordinance authorizing settlement of the lawsuit filed by Ana Guevara against the City and County of San Francisco for $75,000; the lawsuit was filed on October 13, 2011, in San Francisco Superior Court, Case No. CGC-11-515089; entitled Ana Guevara v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130135 [Settlement of Lawsuit - Shawn and Sarah Myers - $200,000]

Ordinance authorizing settlement of the lawsuit filed by Shawn and Sarah Myers against the City and County of San Francisco for $200,000; the lawsuit was filed on February 27, 2008, in United States District Court, Case No. 08-cv-1163; entitled Shawn Myers, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130136 [Settlement of Lawsuit - Veronica Hinkley Reck - $70,000]

Ordinance authorizing settlement of the lawsuit filed by Veronica Hinkley Reck against the City and County of San Francisco for $70,000; the lawsuit was filed on July 27, 2011, in Alameda Superior Court, Case No. RG-11-587571; entitled Veronica Hinkley Reck, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130164 [Settlement of Lawsuit - Mary Allen, et al. - $40,000]

Ordinance authorizing settlement of the lawsuit filed by Mary Allen against the City and County of San Francisco for $40,000; the lawsuit was filed on October 22, 2010, in San Francisco Superior Court, Case No. CGC-10-504814; entitled Mary Allen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement are dismissal with prejudice and a waiver of any and all monetary sanctions. (City Attorney)

PASSED ON FIRST READING

130165 [Settlement of Lawsuits - Greenwich Associates LLC and Octavia Associates LLC - $360,632.36]

Ordinance authorizing settlement of the lawsuits filed by Greenwich Associates LLC and Octavia Associates LLC against the City and County of San Francisco for $360,632.36; the lawsuits were filed on September 26, 2012, in San Francisco County Superior Court, Case Nos. CGC-12-524729 and CGC-12-524730; entitled Greenwich Associates LLC v. City and County of San Francisco, et al. and Octavia Associates LLC v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130166 [Settlement of Lawsuit - Regina Potascher - $87,500]

Ordinance authorizing settlement of the lawsuit filed by Regina Potascher, by her conservator Kim Schwarcz against the City and County of San Francisco for $87,500; the lawsuit was filed on November 14, 2011, in San Francisco Superior Court, Case No. CGC-11-515780; entitled Regina Potascher, by her conservator Kim Schwarcz, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130137 [Settlement of Unlitigated Claim - SF Works - $110,000]

Resolution approving the settlement of the unlitigated claim filed by the City and County of San Francisco against SF Works for $110,000. (City Attorney)

Resolution No. 084-13

ADOPTED

130212 [Appointment, Bicycle Advisory Committee - Marc Brandt]
Motion appointing Marc Brandt, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Motion No. M13-045

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Referred from the Land Use and Economic Development Committee Without Recommendation

130001 [General Plan Amendments - Western South of Market Area Plan]
Ordinance amending the General Plan, by adding the Western South of Market (SoMa) Area Plan, generally bounded on its western portion by 7th Street, Mission Street, Division Street, and Bryant Street, and on its eastern portion by 7th Street, Harrison Street, 4th Street, and Townsend Street; making conforming amendments to the Housing, Commerce and Industry, and Recreation and Open Space Elements, the Land Use Index, and the SoMa, East SoMa, Mission, Showplace Square/Potrero, and Central Waterfront Area Plans; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. (Planning Department)

Ordinance No. 041-13

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang
Noes: 1 - Wiener
Excused: 2 - Farrell, Yee

130002 **[Planning Code - Implementing the Western South of Market Area Plan]**
Sponsor: Kim
Ordinance amending the Planning Code, by adding and amending various sections to implement the goals, objectives, and policies of the Western South of Market Area Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area; and making findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Ordinance No. 042-13

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang
Noes: 1 - Wiener
Excused: 2 - Farrell, Yee

130003 **[Zoning Map - Height and Bulk Revisions to the Western South of Market Area Plan]**
Sponsor: Kim
Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, and HT08 to revise use districts and height and bulk districts within the Western South of Market Plan Area; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and Planning Code, Section 101.1.

Ordinance No. 043-13

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang
Noes: 1 - Wiener
Excused: 2 - Farrell, Yee

130004 **[Administrative Code - Adding Western South of Market Area Plan to Eastern Neighborhoods Area Plan Monitoring Program]**
Sponsor: Kim
Ordinance amending the Administrative Code, Section 10E.2, to integrate the Western South of Market (SoMa) Area Plan into the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Western SoMa Area Plan and inclusion of the Western SoMa Area Plan into the Eastern Neighborhoods reporting requirement, Eastern Neighborhoods capital expenditures plan, and the Eastern Neighborhoods Citizens Advisory Committee; and making environmental findings.

Ordinance No. 044-13

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang
Noes: 1 - Wiener
Excused: 2 - Farrell, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130173 [Adjusting the Access Line Tax with the Consumer Price Index of 2013]
Sponsor: Mayor
Resolution concurring with the Controller's establishment of the Consumer Price Index for 2013, and adjusting the Access Line Tax by the same rate.

Resolution No. 085-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

130175 [Accept and Expend Grant - Keys to Freedom Program - $599,894]
Sponsor: Breed
Resolution authorizing the Sheriff's Department to retroactively accept and expend $599,894 in funds from the U.S. Department of Justice, Office of Justice Programs, through the Second Chance Act Reentry Program for adult offenders with co-occurring substance abuse and mental health disorders, for The Keys to Freedom Program to increase public safety, and reduce recidivism among incarcerated and recently released women and transgendered adults in the City and County of San Francisco; and waiving any indirect costs for the period of October 1, 2012, through September 30, 2014.

Resolution No. 086-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

130188 [Accept and Expend Grant - Trust for Public Land - $3,350,000]
Sponsor: Kim
Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant of up to $3,350,000 from the Trust for Public Land for the design and construction of improvements to Father Alfred E. Boeddeker Park for the period of August 13, 2012, through March 3, 2014.

Resolution No. 087-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

Recommendations of the Land Use and Economic Development Committee

130062 [Planning, Administrative Codes, Zoning Map - Miscellaneous Technical Amendments, Fee Changes, Clarifications, and Corrections]
Sponsor: Tang

Ordinance amending the Planning and Administrative Codes to correct errors; make language revisions and updates; revise graphics to be consistent with text; amend fees to be charged for certain kinds of applications and appeals; clarify the meaning of certain Planning Code sections; amend the Zoning Map to remove the incorrect Chinese Hospital Special Use District designation from Assessor's Block No. 0192, Lot No. 041; and adopt findings, including findings under the California Environmental Quality Act, and Planning Code, Section 302, and findings of consistency with the General Plan and Planning Code, Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

130181 [Administrative Code - Exceptions to Seismic Safety Loan Program Requirements for a $2,379,464 Loan to Hotel Isabel, 1091 Mission Street]
Sponsor: Kim

Ordinance approving exceptions to requirements of the Seismic Safety Loan Program (SSLP) under the Administrative Code and the SSLP Program Regulations, regarding a $2,379,464 loan for an existing affordable housing project at the Hotel Isabel located at 1091 Mission Street.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

Recommendations of the Neighborhood Services and Safety Committee

121063 [Liquor License Transfer - 717 Battery Street]

Resolution determining that the transfer of a Type 57 special on-sale general license from 4461 Mission Street to 717 Battery Street (District 3), to MXB Battery Operations, L.P., for The Battery, will serve the public convenience and necessity of the City and County and San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Resolution No. 081-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

121083 [Liquor License - 1 Polk Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Andrew and Jennifer Hall for The Beer Hall, LLC, located at 1 Polk Street (District 6), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Resolution No. 082-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

121140 [Liquor License Transfer - 2001 Market Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 1169 Market Street to 2001 Market Street (District 8), to Whole Foods Market California, Inc., for the Whole Foods Market, will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Resolution No. 083-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

Recommendations of the Rules Committee

120899 [Municipal Elections Code - Miscellaneous Amendments]

Sponsor: Kim

Ordinance amending the Municipal Elections Code, Sections 100, 110, 200, 205, 220, 230, 260, 335, 500, and 590, and adding Section 810, to: incorporate state law provisions governing Community College and Board of Education candidates; change deadlines for withdrawal of candidacy and candidate qualification statements; change the public inspection period for candidate materials; change requirements for petition circulator badges; delete the requirement that a disclaimer appear before Board of Supervisors' arguments in the Voter Information Pamphlet; incorporate state law provisions governing signatures in lieu of filing fees; reinstate candidate filing fee provisions; and make other technical amendments.

Supervisor Kim, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED on Page 16, to delete Lines 12 and 13. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

121156 [Appointment, Reentry Council - Robert Bowden]

Motion appointing Robert Bowden, term ending July 17, 2013, to the Reentry Council. (Clerk of the Board)

(Supervisor Cohen dissented in Committee.)

Motion No. M13-046

APPROVED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener

Excused: 2 - Farrell, Yee

130115 [Appointment, Port Commission - Mel Murphy]

Motion confirming the Mayor's appointment of Mel Murphy, term ending May 1, 2016, to the Port Commission. (Mayor)

Supervisor Wiener, seconded by Supervisor Breed, moved that this Motion be CONTINUED to March 26, 2013. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener

Excused: 2 - Farrell, Yee

Supervisor Cohen Excused from Voting

Supervisor Mar, seconded by Supervisor Wiener, moved to excuse Supervisor Cohen from voting on File No. 130211. The motion carried by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Kim, Mar, Tang, Wiener

Excused: 3 - Cohen, Farrell, Yee

130211 [Appointment, Association of Bay Area Government Executive Board - Supervisor Malia Cohen]

Motion amending Board of Supervisors Motion No. M13-031 to appoint Supervisor Malia Cohen to the Association of Bay Area Governments Executive Board, for a term ending June 30, 2013. (Clerk of the Board)

Motion No. M13-047

APPROVED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Kim, Mar, Tang, Wiener

Excused: 3 - Cohen, Farrell, Yee

The Board recessed at the hour of 3:20 p.m. and reconvened at 3:40 p.m.

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Cohen, seconded by Supervisor Kim, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

WOMEN'S HISTORY MONTH

Emily M. Murase, Executive Director; spoke on behalf of the Department on the Status of Women. Commissioners Kay Gulbengay and Andrea Shorter spoke on behalf of the Commission on the Status of Women.

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Women's History Month, their accomplishments, and their continued community support as referenced below:

Supervisor John Avalos recognized Stephanie Felder;
Supervisor London Breed recognized Debby Davidson;
Supervisor David Campos recognized Maggie Sullivan (accepted by her father, Tom Sullivan);
Supervisor David Chiu recognized Tina Moylan;
Supervisor Malia Cohen recognized Marlena Jackson;
Supervisor Jane Kim recognized Mimi Yee;
Supervisor Eric Mar recognized Gael Beresford;
Supervisor Katy Tang recognized Laura Tam;
Supervisor Katy Tang, on behalf of Supervisor Mark Farrell, recognized Julia Hartz;
Supervisor Scott Wiener recognized Dr. Sue Carlisle; and
Supervisor John Avalos, on behalf of Norman Yee, recognized Donna M. Cahill.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Bill Dillon; expressed concerns relating to public comment via phone.
Male Speaker; expressed various religious concerns.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed concerns relating to senior services.
Dr. Hunter Gaskie; expressed concerns relating to intimidation surrounding Planned Parenthood facilities.
Jane Kennedy; expressed concerns relating to underground utilities.
Josephine Coffey; expressed concerns relating to anti-Arab and anti-Muslim advertising on Muni.
Male Speaker; expressed concerns relating to garbage services.
Douglas Yep; expressed concerns relating to the Whistle Blower Program.
Valarie Swartz; expressed concerns relating to harassment and police reporting requirements.
Beverly Upton; expressed concerns relating to intimidation surrounding Planned Parenthood facilities.
Peter Warfield; expressed concerns relating to the SF Public Library.
Ace Washington; expressed concerns relating to housing.
Anne Surrot; expressed concerns relating to protection for women.
Female Speaker; expressed various concerns.
Cleft; expressed concerns relating to funding for public services.
Carl McBardo; expressed concerns relating to taxi medallions issuance and illegal operator.
Alisa Berha; expressed concerns relating to anti-Arab and anti-Muslim advertising on Muni.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130258 [Approval of a 60 Day Extension for Planning Commission Review of Conversion of Student Housing Monitoring (File No. 120883)]

Sponsor: Kim

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120883) amending the Planning Code, by adding Section 102.36.1, to establish an annual monitoring requirement for Student Housing conversions; to require a posting to announce that the report is available for public review; and to provide an enforcement mechanism for failure to submit the annual report; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Resolution No. 089-13

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 130257 be severed from the For Adoption Without Committee Reference.

130257 [Anti-Arab and Anti-Muslim Bus Advertisements]
Sponsors: Chiu; Avalos, Breed, Campos, Cohen, Kim, Mar and Yee
Resolution standing with Muslim and Arab communities in the face of anti-Arab and anti-Muslim bus advertisements.

Resolution No. 088-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

130261 [Health Code - Retroactive Increase in Patient Rates for Certain Mental Health Services]
Sponsor: Mayor
Ordinance amending the Health Code, Section 128, to retroactively increase patient rates charged for certain mental health services.

03/19/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/18/2013.

130262 [Police Code - Access to Reproductive Health Care Facilities]
Sponsors: Campos; Cohen, Kim, Avalos, Wiener, Mar, Breed, Chiu and Yee
Ordinance amending the Police Code, Article 43, Sections 4301, 4302, 4303, and 4304, to replace the existing eight-foot bubble zone around individuals entering, exiting, and seeking services at health care facilities with a fixed buffer zone around the entrances, exits, and driveways of reproductive health care facilities; and to prohibit any person from entering or remaining in that buffer zone, with certain exceptions; and making environmental findings.

03/19/13; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 4/18/2013.

130263 [Planning Code - Castro Street Neighborhood Commercial District Use Size Limits]
Sponsor: Wiener

Ordinance amending the Planning Code, Sections 121.2 and 715.1, the Castro Street Neighborhood Commercial District controls, to allow a neighborhood-serving nonprofit institution to exceed the use size limits with a Conditional Use Authorization; making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

03/19/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/18/2013.

121162 [Planning Code - Inclusionary Affordable Housing Program, Updates, and Clarifications]
Sponsor: Mayor

Ordinance amending the Planning Code, Section 401, and provisions of the Inclusionary Affordable Housing Ordinance, Sections 415 et seq., to update and clarify provisions of the Inclusionary Affordable Housing Program (Program) by reducing certain on-site requirements under Charter, Section 16.110; providing a cap on rent increases; clarifying the timing of off-site developments; requiring rental units that convert to ownership to sell at less than the price for ownership units under certain circumstance; establishing pricing for affordable Single Room Occupancy units; changing the status of projects using California Debt Limit Allocation Committee tax exempt bonds so that such projects are subject to the Program, but that units may qualify as on- or off-site units under certain circumstances; allowing income levels of qualifying households to exceed those specified in certain situations; clarifying that the threshold application of the Program to projects of 10 units or more applies to the South of Market Youth and Family Special Use District and all other areas of the City; making technical clarifications and corrections; and making environmental findings and findings of consistency with the General Plan.

12/04/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/3/2013.

12/06/12; RESPONSE RECEIVED.

12/13/12; REFERRED TO DEPARTMENT.

12/20/12; RESPONSE RECEIVED.

03/19/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

120474 [Planning, Administrative Codes - Transfer of Development Rights]
Sponsor: Chiu

Ordinance amending the Planning Code, Sections 128 and 819, and Administrative Code, Section 10E.1, to permit the transfer of development rights from any eligible building in a Downtown Commercial (C-3) District or the South of Market Extended Preservation District to a development site in a C-3 District; require annual reporting of buildings designated as historic resources and of transferred development rights, and requiring a Preservation, Rehabilitation, and Maintenance Plan to be submitted with an application for Certificate of Transfer instead of with an application for Statement of Eligibility; and adopting environmental findings, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

05/17/12; REFERRED TO DEPARTMENT.

03/19/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

130264 [Adoption of Guidelines for the Establishment and Use of an Infrastructure Financing District on Port Land]
Sponsors: Mayor; Kim
Resolution adopting Guidelines for the Establishment and Use of an Infrastructure Financing District with Project Areas on Land Under the Jurisdiction of the San Francisco Port Commission. (Fiscal Impact)

03/19/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130265 [Issuance of Tax-Exempt Obligation - French American International School - Not to Exceed $6,500,000]
Sponsor: Breed
Resolution approving, in accordance with Section 147(f) of the Internal Revenue Code, the issuance of a tax-exempt revenue obligation by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $6,500,000 to finance various capital facilities owned by the French American International School.

03/19/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130266 [Street Name Change to Dr. Tom Waddell Place]
Sponsors: Kim; Wiener, Campos, Avalos and Mar
Resolution changing the name of Lech Walesa Street in the Civic Center area to "Dr. Tom Waddell Place," in recognition of Dr. Tom Waddell's contributions to the City of San Francisco.

03/19/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130267 [Contract Amendment - Transbay Transit Center Program Services - Not to Exceed $5,393,677]
Sponsor: Kim
Resolution approving the Second Amendment to Contract No. CS -159 between the Municipal Transportation Agency and the Transbay Joint Powers Authority for Transbay Transit Center program services pursuant to Charter, Section 9.118, to increase the not to exceed amount from $3,280,677 to $5,393,677 for the period of July 21, 2009, through December 31, 2017. (Fiscal Impact)

03/19/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130268 [Supporting the Bay Area Rapid Transit District's Pilot Program to Allow Full-Time Bicycle Access]
Sponsor: Avalos
Resolution supporting the Bay Area Rapid Transit District's Pilot Program to allow full-time bicycle access.

03/19/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130269 [Urging the California State Legislature to Pass Assembly Bill 1194 - Safe Routes to School Program]
Sponsor: Mar
Resolution urging the California State Legislature to pass Assembly Bill 1194 to require that the existing Safe Routes to School Program be funded by an annual appropriation in the budget act of not less than $46,000,000 and to transfer authority of the program to the California Transportation Commission.

03/19/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

130271 [Approving the 2013 Budget and Legislative Analyst Services Work Plan]
Sponsors: Chiu; Cohen
Motion approving the Budget and Legislative Analyst Services work plan for 2013, which allocates hours for Calendar Year 2013; authorizes the Budget and Legislative Analyst to reallocate up to 10 percent of the hours between service categories based on Board of Supervisors service needs; and requires Board of Supervisors approval of hours re-allocation greater than 10 percent; and establishes performance goals and sets a date for the 2013 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

03/19/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Request for Hearing

130270 [Hearing - Pedestrian Safety Advisory Committee - Quarterly Update Presentation]
Sponsor: Breed
Hearing to get an update on pedestrian safety issues in San Francisco and the recent efforts of the San Francisco Pedestrian Safety Advisory Committee.

03/19/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

130244 [Health, Business and Tax Regulations Code - Regulate and Establish Annual Fees - Cottage Food Operations]

Ordinance amending the Health Code, by adding Section 452.1, to establish a procedure for regulating Cottage Food Operations; amending the Business and Tax Regulations Code, by adding Section 249.1A, to establish annual fees for Cottage Food Operations; and making environmental findings. (Public Health Department)
(Fiscal Impact)

03/08/13; RECEIVED FROM DEPARTMENT.

03/19/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/18/2013.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:55 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 23, 2013.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT DOCUMENTS DEPT
APR - 7 2015
SAN FRANCISCO PUBLIC LIBRARY

Tuesday, March 26, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, Supervisor Mar was noted absent. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Land Use and Economic Development Committee

130110 **[Street Artist Spaces - Market Street at Spear Street]**
Resolution approving designation of five selling spaces on Market Street, north side, at Spear Street, for Saturday use by street artists certified by the Arts Commission; exempting said spaces from the regulations of Police Code, Section 2405(c), relating to street artist display size, distance from entrances, and distance between artists' displays. (Arts Commission)

Resolution No. 090-13

ADOPTED

Recommendations of the Rules Committee

130111 [Settlement of Lawsuit - Derek Kerr, M.D. - $750,000]
Ordinance authorizing settlement of the lawsuit filed by Derek Kerr, M.D., against the City and County of San Francisco for $750,000; the lawsuit was filed on November 16, 2010, in United States District Court of California, Case No. C-10-5733 CW; entitled Derek Kerr, M.D. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 051-13

FINALLY PASSED

130112 [Settlement of Lawsuit - Rissa Kossen, et al. - $27,500]
Ordinance authorizing settlement of the lawsuit filed by Rissa Kossen and Cameron Kossen against the City and County of San Francisco for $27,500; the lawsuit was filed on December 1, 2011, in San Francisco County Superior Court, Case No. CGC-11-517538; entitled Rissa Kossen and Cameron Kossen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement is full payment of San Francisco General Hospital's lien. (City Attorney)

Ordinance No. 052-13

FINALLY PASSED

130113 [Settlement of Lawsuit - Ana Guevara - $75,000]
Ordinance authorizing settlement of the lawsuit filed by Ana Guevara against the City and County of San Francisco for $75,000; the lawsuit was filed on October 13, 2011, in San Francisco Superior Court, Case No. CGC-11-515089; entitled Ana Guevara v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 053-13

FINALLY PASSED

130135 [Settlement of Lawsuit - Shawn and Sarah Myers - $200,000]
Ordinance authorizing settlement of the lawsuit filed by Shawn and Sarah Myers against the City and County of San Francisco for $200,000; the lawsuit was filed on February 27, 2008, in United States District Court, Case No. 08-cv-1163; entitled Shawn Myers, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 054-13

FINALLY PASSED

130136 [Settlement of Lawsuit - Veronica Hinkley Reck - $70,000]
Ordinance authorizing settlement of the lawsuit filed by Veronica Hinkley Reck against the City and County of San Francisco for $70,000; the lawsuit was filed on July 27, 2011, in Alameda Superior Court, Case No. RG-11-587571; entitled Veronica Hinkley Reck, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 055-13

FINALLY PASSED

130164 [Settlement of Lawsuit - Mary Allen, et al. - $40,000]

Ordinance authorizing settlement of the lawsuit filed by Mary Allen against the City and County of San Francisco for $40,000; the lawsuit was filed on October 22, 2010, in San Francisco Superior Court, Case No. CGC-10-504814; entitled Mary Allen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement are dismissal with prejudice and a waiver of any and all monetary sanctions. (City Attorney)

Ordinance No. 057-13

FINALLY PASSED

130165 [Settlement of Lawsuits - Greenwich Associates LLC and Octavia Associates LLC - $360,632.36]

Ordinance authorizing settlement of the lawsuits filed by Greenwich Associates LLC and Octavia Associates LLC against the City and County of San Francisco for $360,632.36; the lawsuits were filed on September 26, 2012, in San Francisco County Superior Court, Case Nos. CGC-12-524729 and CGC-12-524730; entitled Greenwich Associates LLC v. City and County of San Francisco, et al. and Octavia Associates LLC v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 058-13

FINALLY PASSED

130166 [Settlement of Lawsuit - Regina Potascher - $87,500]

Ordinance authorizing settlement of the lawsuit filed by Regina Potascher, by her conservator Kim Schwarcz against the City and County of San Francisco for $87,500; the lawsuit was filed on November 14, 2011, in San Francisco Superior Court, Case No. CGC-11-515780; entitled Regina Potascher, by her conservator Kim Schwarcz, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 059-13

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

130062 [Planning, Administrative Codes, Zoning Map - Miscellaneous Technical Amendments, Fee Changes, Clarifications, and Corrections]
Sponsor: Tang
Ordinance amending the Planning and Administrative Codes to correct errors; make language revisions and updates; revise graphics to be consistent with text; amend fees to be charged for certain kinds of applications and appeals; clarify the meaning of certain Planning Code sections; amend the Zoning Map to remove the incorrect Chinese Hospital Special Use District designation from Assessor's Block No. 0192, Lot No. 041; and adopt findings, including findings under the California Environmental Quality Act, and Planning Code, Section 302, and findings of consistency with the General Plan and Planning Code, Section 101.1.

Ordinance No. 056-13

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

Supervisor Mar was noted present at 2:10 p.m.

130181 [Administrative Code - Exceptions to Seismic Safety Loan Program Requirements for a $2,379,464 Loan to Hotel Isabel, 1091 Mission Street]
Sponsor: Kim
Ordinance approving exceptions to requirements of the Seismic Safety Loan Program (SSLP) under the Administrative Code and the SSLP Program Regulations, regarding a $2,379,464 loan for an existing affordable housing project at the Hotel Isabel located at 1091 Mission Street.

Ordinance No. 060-13

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

120899 [Municipal Elections Code - Miscellaneous Amendments]
Sponsor: Kim
Ordinance amending the Municipal Elections Code, Sections 100, 110, 200, 205, 220, 230, 260, 335, 500, and 590, and adding Section 810, to: incorporate state law provisions governing Community College and Board of Education candidates; change deadlines for withdrawal of candidacy and candidate qualification statements; change the public inspection period for candidate materials; change requirements for petition circulator badges; delete the requirement that a disclaimer appear before Board of Supervisors' arguments in the Voter Information Pamphlet; incorporate state law provisions governing signatures in lieu of filing fees; reinstate candidate filing fee provisions; and make other technical amendments.

Ordinance No. 050-13

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130115 [Appointment, Port Commission - Mel Murphy]
Motion confirming the Mayor's appointment of Mel Murphy, term ending May 1, 2016, to the Port Commission. (Mayor)

Motion No. M13-048

APPROVED by the following vote:

Ayes: 7 - Breed, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 4 - Avalos, Campos, Chiu, Mar

NEW BUSINESS

Recommendations of the Land Use and Economic Development Committee

121104 [Planning Code - Landmark Designation - 320-326 Judah Street (the Doelger Building)]
Sponsor: Wiener
Ordinance designating 320-326 Judah Street (the Doelger Building), Assessor's Block No. 1763, Lot Nos. 020 and 021, as a Landmark under Planning Code, Article 10; and adopting General Plan, Planning Code, Section 101.1, and environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130042 [Planning Code - Medical Service Use - Sacramento Neighborhood Commercial District]

Sponsor: Farrell

Ordinance amending the Planning Code, Section 724.1, and related portions of Table 724, to permit a change of use from a business or professional service use to medical service use on the first floor or below in the Sacramento Neighborhood Commercial District; and making environmental findings, Planning Code, Section 101.1, findings, and findings of consistency with the General Plan.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Cohen, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Pastor Schuyler Rhodes of Temple United Methodist Church in recognition of his accomplishments and continued community support. Supervisor Cohen shared in this commendation.

COMMITTEE REPORT

Recommendation of the Land Use and Economic Development Committee

121162 [Planning Code - Inclusionary Affordable Housing Program, Updates, and Clarifications]

Sponsor: Mayor

Ordinance amending the Planning Code, Section 401, and provisions of the Inclusionary Affordable Housing Ordinance, Sections 415 et seq., to update and clarify provisions of the Inclusionary Affordable Housing Program (Program) by reducing certain on-site requirements under Charter, Section 16.110; providing a cap on rent increases; clarifying the timing of off-site developments; requiring rental units that convert to ownership to sell at less than the price for ownership units under certain circumstance; establishing pricing for affordable Single Room Occupancy units; changing the status of projects using California Debt Limit Allocation Committee tax exempt bonds so that such projects are subject to the Program, but that units may qualify as on- or off-site units under certain circumstances; allowing income levels of qualifying households to exceed those specified in certain situations; clarifying that the threshold application of the Program to projects of 10 units or more applies to the South of Market Youth and Family Special Use District and all other areas of the City; making technical clarifications and corrections; and making environmental findings and findings of consistency with the General Plan.

Privilege of the floor was granted to Daniel Adams (Mayor's Office of Housing) who responded to questions raised throughout the discussion.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to minute summaries, open government, and local laws. (See additional information submitted on Page 187).
Dale Seymour; spoke relating to tours in the Tenderloin.
Anne Brubaker; expressed concerns relating to undergrounding of utilities.
Douglas Yep; expressed various concerns.
Randy Tran; spoke relating to Pastor Schuyler Rhodes commendation.
Male Speaker; expressed various concerns.
Male Speaker; expressed various religious concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130268 [Supporting the Bay Area Rapid Transit District's Pilot Program to Allow Full-Time Bicycle Access]
Sponsor: Avalos
Resolution supporting the Bay Area Rapid Transit District's Pilot Program to allow full-time bicycle access.

Resolution No. 091-13

ADOPTED

130269 [Urging the California State Legislature to Pass Assembly Bill 1194 - Safe Routes to School Program]
Sponsor: Mar
Resolution urging the California State Legislature to pass Assembly Bill 1194 to require that the existing Safe Routes to School Program be funded by an annual appropriation in the budget act of not less than $46,000,000 and to transfer authority of the program to the California Transportation Commission.

Resolution No. 092-13

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

120883 [Planning Code - Establishing a Program to Monitor Student Housing Conversions]
Sponsors: Kim; Wiener

Ordinance amending the Planning Code, by adding Section 102.36.1, to establish an annual monitoring requirement for student housing conversions; and making findings, including environmental findings, and findings of consistency with the priority policies of Planning Code, Section 101.1, and the General Plan.

09/04/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/4/2012.

09/17/12; REFERRED TO DEPARTMENT.

09/20/12; RESPONSE RECEIVED.

01/15/13; REMAIN ACTIVE.

03/05/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

03/11/13; REFERRED TO DEPARTMENT.

03/25/13; RESPONSE RECEIVED.

03/26/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

121065 [Planning Code, Zoning Map - Polk Street Alcohol and Tobacco Paraphernalia Restrictions; Establishing Lower Polk Street Alcohol Restricted Use District]
Sponsor: Chiu

Ordinance amending the Planning Code, Section 723, to extend the restriction on Tobacco Paraphernalia Establishments in the Polk Street Neighborhood Commercial District (NCD) for an additional three years and apply it to an area within one-quarter mile of the boundaries of the NCD; adding Section 788, to establish the Lower Polk Street Alcohol Restricted Use District for the properties located on Polk Street between California Street to the north, O'Farrell Street to the south, and Polk Street's side streets between California Street, Larkin Street, O'Farrell Street and Van Ness Avenue; amending Zoning Map, Sheet ZN-02, to designate the Lower Polk Street Alcohol Restricted Use District; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

10/30/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/30/2012.

11/07/12; REFERRED TO DEPARTMENT.

11/09/12; RESPONSE RECEIVED.

02/20/13; RESPONSE RECEIVED.

03/14/13; REFERRED TO DEPARTMENT.

03/18/13; RESPONSE RECEIVED.

03/19/13; NOTICED.

03/26/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

130275 [Appropriation - Surplus Revenues, Expenditures, and General Fund Reserve of $4,384,994 Supporting Shortfalls - FY2012-2013]
Sponsor: Mayor

Ordinance appropriating $3,749,644 in the Sheriff's Department, including $3,458,970 from General Reserve and $290,674 from State Disability Claim Reimbursement in the amount of $1,197,779 for Worker's Compensation Expense, $3,195,726 for overtime expenditures, and $538,690 for reduction of revenues; including revenue de-appropriation of $538,690 for reduction of State revenues and expenditure de-appropriation of $1,182,551 for permanent salaries and materials and supplies in order to support the Sheriff's Department projected expenditures; as required per Ordinance No. 194-11, this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval for $3,195,726 of this request.
(Fiscal Impact)

03/26/13; ASSIGNED to Budget and Finance Committee.

130283 [Appropriation - Surplus Revenues, Expenditures, City Reserve for State Revenue Loss, and General Fund Reserve of $44,857,000 Supporting Shortfalls - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $38,689,454 in the Department of Public Health, including $4,314,849 of General Fund Reserves, $8,410,605 of the City Reserves for State Revenue Loss, and $2,600,000 from Community Mental Health Services; surplus hospital revenues of $6,504,000 in General Hospital, $12,560,000 of Laguna Honda Hospital Revenues, and $4,300,000 of Laguna Honda Hospital Reserve for Debt Service (Senate Bill 1128) revenues are recognized, as well as expenditure reductions of $7,389,546 and additional expenditures of $35,070,000 at San Francisco General Hospital, and $11,009,000 at Laguna Honda Hospital.

03/26/13; ASSIGNED to Budget and Finance Committee.

130284 [Planning, Building Codes - Fee Waiver Program - Small Business Month, May 2013]

Sponsor: Tang

Ordinance recognizing Small Business Month in May 2013; amending the Planning Code, Sections 302, 355(a), and 355(e); and amending Building Code, Tables 1A-A, and 1A-E, to waive fees for the month of May for certain façade improvements; and making findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code, Section 101.1.

03/26/13; ASSIGNED to Budget and Finance Sub-Committee.

130285 [Public Works Code - Waiver of Temporary Street Space Occupancy Fee for Small Business Week Sidewalk Sales]

Sponsors: Farrell; Chiu, Cohen, Wiener, Yee, Kim, Mar, Breed, Tang and Campos

Ordinance waiving the fee required by Public Works Code, Section 724.1(b), for temporary street space occupancy within certain designated streets in the City and County of San Francisco on Saturday, May 11, 2013, and Saturday May 18, 2013, as part of Small Business Week Sidewalk Sales.

03/26/13; ASSIGNED to Budget and Finance Sub-Committee.

Resolutions

130265 [Issuance of Tax-Exempt Obligation - French American International School - Not to Exceed $6,500,000]

Sponsor: Breed

Resolution approving, in accordance with Internal Revenue Code Section 147(f), the issuance of a tax-exempt revenue obligation by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $6,500,000 to finance various capital facilities owned by the French American International School.

03/19/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

03/26/13; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

130286 [Term Sheet Endorsement - Development of Seawall Lot 337 and Pier 48 and Finding of Fiscal Feasibility]
Sponsors: Mayor; Kim, Chiu and Wiener
Resolution finding the proposed development of Seawall Lot 337 and Pier 48, bounded by China Basin Channel, Third Street, Mission Rock Street, and San Francisco Bay and adjacent to AT&T Park, fiscally feasible under Administrative Code, Chapter 29, and endorsing the Term Sheet between Seawall Lot 337 Associates, LLC and the Port Commission.
(Fiscal Impact)
03/26/13; ASSIGNED to Land Use and Economic Development Committee.

130287 [Issuance of Tax-Exempt Obligations - Progress Foundation - Not to Exceed $9,000,000]
Sponsor: Farrell
Resolution approving the issuance of tax-exempt obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed $9,000,000 to finance and refinance various capital facilities owned by Progress Foundation.
03/26/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130288 [Supporting San Francisco Applicants for the Deferred Action for Childhood Arrivals Program]
Sponsors: Chiu; Campos, Yee, Wiener, Cohen, Mar, Kim and Avalos
Resolution urging the San Francisco Unified School District to coordinate efforts with City Departments to support student participation in the Deferred Action for Childhood Arrivals Program and create a centralized system to facilitate transcript requests and enrollment history verification for undocumented students and transitional aged youth.
03/26/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130289 [Accept and Expend Grant - Beach Water Quality and Monitoring - $25,000]
Sponsor: Tang
Resolution authorizing the Department of Public Health to accept and expend retroactively a grant in the amount of $25,000 from the State Water Resource Control Board to participate in a program entitled "Beach Water Quality and Monitoring" for the period of October 1, 2012, through September 30, 2013, waiving indirect costs.
03/26/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

130290 [Hearing - Local Hiring Policy for Construction 2012-2013 Annual Report]
Sponsor: Avalos
Hearing on the Local Hiring Policy for Construction 2012-2013 Annual Report.
03/26/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

130291 [Hearing - Recreation and Parks Department Labor Practices and Gardening Apprenticeship Program]
Sponsor: Avalos
Hearing on Recreation and Park Department labor practices and the status of the Gardening Apprenticeship Program with Laborers Union Local 261.

03/26/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

130292 [Hearing - Strategies to Increase Public Safety for the Transgender Community]
Sponsor: Campos
Hearing to discuss recent events of violence against the transgender community, to review responses to this violence, and to increase violence prevention strategies among the Police Department, the City, and community groups.

03/26/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

130293 [Hearing - Department of Public Health Implementation of the Affordable Care Act]
Sponsor: Campos
Hearing on how the Department of Public Health is planning to implement the Affordable Care Act, what implications there are for Healthy San Francisco and the Health Care Security Ordinance, and how the Affordable Care Act's implementation will affect various communities in San Francisco, including undocumented San Franciscans.

03/26/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

130294 [Hearing - Vacant Storefronts]
Sponsor: Mar
Hearing on the strategies San Francisco has implemented for preventing and filling commercial vacancies.

03/26/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130272 [Zoning Map - Rezoning of 909 Tennessee Street]
Ordinance amending Zoning Map, Sheet No. ZN08, to rezone Assessor's Block No. 4108, Lot No. 036 (909 Tennessee Street) from Public to Urban Mixed Use; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. (Planning Commission)

03/18/13; RECEIVED FROM DEPARTMENT.

03/26/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/25/2013.

130276 **[Business and Tax Regulations Code - Former Transfer Tax Review Board]**
Ordinance amending the Business and Tax Regulations Code to remove provisions that refer to the former Transfer Tax Review Board, and that expired by operation of law on January 1, 2013. (City Attorney)

03/13/13; RECEIVED FROM DEPARTMENT.

03/26/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

In Memoriam

Mark Barry Kertz - Supervisor Mar

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:23 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 7, 2013.

Angela Calvillo, Clerk of the Board

ADDENDUM

The following information was provided by a speaker, pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors. Ray Hartz submitted the following additional information during Public Comment as follows: "Know your rights under the Sunshine Ordinance," is printed on the agenda for each meeting of this Board of Supervisors and its committees. Even if you know those rights, don't expect them to be either acknowledged or respected by the Clerk of the Board, Angela Calvillo. The Sunshine Ordinance Task Force has ruled repeatedly and clearly on this issue. Ms. Calvillo wants so desperately to retain her ability to censor public comment that she remains willfully ignorant of the law! Thomas Aquinas teaches that "Willful ignorance of what one ought to know is a mortal sin." Ms. Calvillo knows that her actions are unlawful under the Sunshine Ordinance as determined by the Task Force. Ms. Calvillo must also be aware that under SEC. 67.34 that her willful failure is considered official misconduct. Ms. Calvillo simply doesn't care about anyone's rights under the Sunshine Ordinance. She simply doesn't give a damn!

Houchen
Bindery Ltd